

FEDERAL REGISTER

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Washington, Friday, April 20, 1945

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration

(Distribution Orders)

[WFO 79-102, Amdt. 10]

PART 1401—DAIRY PRODUCTS

DELEGATION OF AUTHORITY TO MARKET AGENTS IN ADMINISTRATION OF WAR FOOD ORDERS FOR CONSERVATION AND DISTRIBUTION OF FLUID MILK AND CREAM

Pursuant to War Food Order No. 79, as amended (8 F.R. 12426, 13283, 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990, 10 F.R. 103), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-102, as amended (8 F.R. 16313, 9 F.R. 337, 4321, 4319, 4500, 10241, 14308, 12948, 14007, 14875, 10 F.R. 103, 126, 1854, 3173), is hereby further amended by deleting in the proviso included in § 1401.135 (b) (3) the language following the word "except," and substituting therefor the following: "for any 61 day period subsequent to April 15th, 1945, when any such increase for any quota period affected shall be not more than 25 percent of deliveries of butterfat in cream in the base period."

The provisions of this amendment shall become effective as of 12:01 a. m., e. w. t., April 15, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 79-102, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 79-102, as amended, in effect prior to the effective time hereof, shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 4319, 6982, 9459, 10035, 11990; 10 F.R. 103)

Issued this 17th day of April 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-6219; Filed, Apr. 18, 1945;
12:08 p. m.]

[WFO 120-1, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

IRISH POTATOES

War Food Order No. 120-1 (9 F.R. 14476) issued on December 8, 1944, as amended (10 F.R. 103), is further amended by deleting therefrom the provisions in § 1405.49 (b) and inserting, in lieu thereof, the following:

(b) *Specifications relative to territorial scope.* The provisions of War Food Order No. 120, as amended, shall be applicable to any shipment of Irish potatoes from Malheur County, Oregon, and from the State of Idaho except Idaho County and all counties north thereof in Idaho.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 19, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120-1, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 120-1, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120, as amended, 9 F.R. 14475, 10 F.R. 103, 1823)

Issued this 16th day of April 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-6220; Filed, Apr. 18, 1945;
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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

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[WFO 120-3, Termination]

PART 1405—FRUITS AND VEGETABLES

IRISH POTATOES

War Food Order No. 120-3, as amended (10 F.R. 1693, 3006), is terminated as of 12:01 a.m., e.w.t., April 19, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120-3, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 120-3, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120, as amended, 9 F.R. 14475, 10 F.R. 103, 1823)

Issued this 16th day of April 1945.

C. W. KITCHEN,

Director of Marketing Services.

[F. R. Doc. 45-6221; Filed, Apr. 18, 1945; 12:08 p. m.]

[WFO 67, Amdt. 7]

PART 1460—FATS AND OILS

INEDIBLE TALLOW OR GREASE

War Food Order No. 67, as amended (10 F.R. 2493), is further amended to read as follows:

§ 1460.27 Restrictions on deliveries and inventories of inedible tallow or grease—(a) Definitions. (1) "Inedible tallow or grease" means all grades and qualities of inedible animal tallow and greases, and stearines produced therefrom, including all inedible tallow or grease in process up to the point at which it ceases to exist as such by reason of saponification, neutralization, pressing, distillation, or compounding with non-fatty materials. The term "inedible tallow or grease" shall not include garbage grease, wool (grease) fat, grease (lard) oil, neat's-foot oil and stock, stearic acid, nor red oil.

(2) "Producer" means any person whose operations result in the production of inedible tallow or grease.

(3) "Dealer" means any person who acquires inedible tallow or grease for resale, regardless of whether such person blends or mixes such inedible tallow or grease.

(4) "Manufacturer" means any person who uses inedible tallow or grease in the manufacture of any other product, including mixed fatty acids.

(5) "Inventory" means the total quantity of inedible tallow or grease, wherever located, owned by any person, and all the inedible tallow or grease for which such person holds a contract for delivery to him in the future.

(6) "Preferred use" means the use of inedible tallow or grease in the manufacture of stearine, or in the manufacture of any other product except the following: (i) soap; (ii) inedible tallow or grease of a particular type or grade.

(7) "Base period" means the last six months of 1944.

(8) "Commercial quantity" means a tank car, a tank truck, a carload of packages, or a truck load of packages.

(9) "Maximum unit" means the largest single, segregate, commercial quantity of inedible tallow or grease shipped to and accepted by any person during the base period.

(10) "Soap" means the water soluble product formed by the saponification or neutralization of fats, oils, rosins, or their fatty acids with organic, sodium or potassium bases, or any detergent composition containing such products.

(11) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(12) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Delivery restrictions.* Except as specifically authorized by the Director:

(1) No person shall, in any calendar month, deliver inedible tallow or grease on other than certified orders unless and until he has, before the end of such month, filled or offered to fill all certified orders received by him prior to the 10th day of such month, *Provided*, That:

(i) During the month of April 1945 no person shall deliver inedible tallow or grease upon other than certified orders unless and until he has filled or offered to fill all certified orders received by him prior to April 25, 1945;

(ii) No person shall be required to deliver or offer to deliver inedible tallow or grease in any amount less than the smallest commercial quantity delivered by him in the base period;

(iii) No producer shall be required, in any calendar month, to deliver or offer to deliver from any one plant more than 50 percent of the total quantity of inedible tallow or grease delivered from such plant in such month;

(iv) No dealer shall be required, in any calendar month, to deliver or offer to deliver more than 50 percent of the total quantity of inedible tallow or grease delivered by him in such month;

(2) No person shall deliver inedible tallow or grease for a preferred use except upon the receipt of a certified order for such inedible tallow or grease.

(c) *Certified orders.* (1) Any manufacturer who requires inedible tallow or grease for a preferred use shall, prior to the 10th day of any month or prior to April 25, 1945, transmit to his supplier a written order which has attached thereto or incorporated therein a properly executed certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to _____

(Name and address of supplier)

the terms of War Food Order No. 67, that this certificate is furnished in order to enable the undersigned to obtain preferred delivery, in accordance with War Food Order No. 67, of _____ pounds of inedible tallow or grease, and that he will use all of such inedible tallow or grease in the manufacture of stearine, or in the manufacture of any other product except soap or particular types or grades of inedible tallow or grease. The undersigned further certifies that the receipt by him of such inedible tallow or grease on or about _____ will not increase his inventory beyond the amount permitted under War Food Order No. 67.

(Purchaser)
By _____
(Authorized official)

(Date)

(2) No manufacturer who receives inedible tallow or grease under a certified order shall use any part thereof in the manufacture of soap, or in the manufacture of particular types or grades of inedible tallow or grease, exclusive of stearine.

(d) *Inventory limitations.* Except as herein otherwise provided:

(1) No producer shall produce inedible tallow or grease in any quantity which will cause his inventory to exceed $\frac{1}{12}$ of his base period production;

(2) No dealer shall accept delivery of inedible tallow or grease in any quantity which will cause his inventory to exceed $\frac{1}{12}$ of his base period deliveries;

(3) Effective May 1, 1945, no manufacturer shall accept delivery of inedible tallow or grease in any quantity which will cause his inventory to exceed $\frac{1}{3}$ of his base period use;

(4) No person who falls within two or more of the following classifications—producer, dealer, or manufacturer—shall produce or accept delivery of inedible tallow or grease in any quantity which will cause his inventory to exceed the largest amount he is permitted to have under one of the foregoing paragraphs: (d) (1), (d) (2), or (d) (3).

(e) *Inventory exemptions; maximum units.* (1) Any dealer whose inventory does not exceed $\frac{1}{24}$ of his base period deliveries may accept delivery of one maximum unit.

(2) Any manufacturer whose inventory does not exceed $\frac{1}{6}$ of his base period use may accept delivery of one maximum unit.

(f) *Inventory exemption; OPA ceiling prices.* (1) Any producer or dealer who can not obtain purchasers for his inedible tallow or grease at the maximum prices established by the Office of Price Administration may increase his inventory above the applicable limitations of (d) hereof: *Provided*, That such producer or dealer shall not thereafter refuse or

fail to deliver inedible tallow or grease to buyers offering to purchase at such maximum prices until his inventory again falls within the applicable limitations of paragraph (d).

(2) Any manufacturer may increase his inventory above the applicable limitations of paragraph (d) hereof by purchases at prices below the maximum prices established by the Office of Price Administration: *Provided*, That such manufacturer shall not thereafter buy additional inedible tallow or grease at such maximum prices until his inventory again falls within the applicable limitations of paragraph (d).

(g) *Inventory exemption; imported tallow or grease.* Any manufacturer may increase his inventory above the applicable limitations of paragraph (d) by the acceptance of delivery of inedible tallow or grease imported into the 48 States or the District of Columbia, if such inedible tallow or grease was imported by such manufacturer or his agent or is delivered to him by a governmental agency: *Provided*, That such manufacturer shall not thereafter accept delivery of inedible tallow or grease produced within the 48 States or the District of Columbia, except in accordance with paragraph (f) (2) hereof, until his inventory falls within the applicable limitations of paragraph (d).

(h) *Transfers between branches or plants.* The transfer of inedible tallow or grease between branches, plants, or companies owned, controlled or directed by the same person but engaged in separate activities as producers, dealers, or manufacturers, shall constitute delivery or acceptance of delivery within the meaning of this order.

(i) *Records and reports.* (1) All certified orders and all certificates executed under (c) hereof shall be retained for at least two years and shall, upon request, be submitted to the Director for inspection. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(2) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) Every person subject to this order shall, for at least two years or for such other period of time as the Director may designate, maintain an accurate record of his production of and transactions in inedible tallow or grease.

(j) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(k) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of inedible tallow or grease of any

person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(l) *Petition for relief.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(m) *Violation.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using inedible tallow or grease. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, a provision of this order.

(n) *Delegation of authority.* (1) The Director may, upon application, establish a base period production for any producer who did not produce inedible tallow or grease during the base period, or a base period use for any manufacturer who did not use inedible tallow or grease during such period.

(2) The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(o) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 67, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(p) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(q) *Effective date.* The provisions of paragraph (d) (3) of this order shall become effective at 12:01 a. m. e. w. t., May 1, 1945. All other provisions of this order shall become effective at 12:01 a. m. e. w. t., April 19, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken prior to said dates, under War Food Order No. 67, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 17th day of April 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-6218; Filed, Apr. 18, 1945;
12:08 p. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 2—GENERAL REGULATIONS OF THE DEPARTMENT OF LABOR

CONCILIATION SERVICE AND BUREAU OF LABOR STATISTICS

Administrative Order amending Article III, Part V of the Regulations of the Department of Labor in effect on October 15, 1915.

For the purpose of securing publication thereof, the following Administrative Order signed by me on August 16, 1939, is hereby reissued:

Pursuant to the authority vested in me by R. S. 161 (U.S.C., Title 5, sec. 22), Act of March 4, 1913 (37 Stat. 736; U.S.C., Title 5, sec. 611), and otherwise, it is hereby ordered that Article III of Part V of the Regulations of the Department of Labor, in effect on October 15, 1915, be amended by adding two new sections as follows:

SEC. 3. Conciliation Service. No Commissioner of Conciliation, conciliator, or other officer or employee of the United States Conciliation Service shall testify on behalf of any party to any cause pending in any court or before any board, commission, or other administrative agency of the United States or of any state, territory, or the District of Columbia, with respect to any information, facts or other matter coming to his knowledge in his official capacity, whether in answer to a subpoena or otherwise.

Whenever any subpoena shall have been served upon any such Commissioner of Conciliation, conciliator, or other officer, or employee of the United States Conciliation Service, he will, unless otherwise expressly directed, appear in court in answer thereto and respectfully decline to give the testimony called for, on the ground of being prohibited therefrom by the regulations of the Labor Department.

No exceptions will be made without the written consent of the Secretary.

SEC. 4. Bureau of Labor Statistics. No investigator, statistician, economist or other officer or employee of the Bureau of Labor Statistics shall testify on behalf of any party at any cause pending in any court or before any board, commission, or other administrative agency of the United States or of any state, territory or the District of Columbia, with respect to any information, facts or other matter entrusted to him in confidence in such a manner as to reveal the identity

of the person, firm, or corporation to whom the information, facts or other matters pertain, whether in answer to a subpoena or otherwise.

Whenever any subpoena shall have been served upon any such investigator, statistician, economist, or other officer or employee of the Bureau of Labor Statistics, he will, unless otherwise expressly directed, appear in court in answer thereto and respectfully decline to give the testimony called for, on the ground of being prohibited therefrom by the regulations of the Labor Department.

No exceptions will be made without the written consent of the Secretary.

Signed at Washington, D. C., this 17th day of April 1945.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 45-6249; Filed, Apr. 19, 1945;
11:30 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 27, Amdt. 2]

PART 602—GENERAL ORDERS AND DIRECTIVES

RESTRICTIONS ON RECEIPTS BY INDUSTRIAL CONSUMERS OF COAL PRODUCED IN DISTRICTS 1, 2, 3, 4 AND 6 AND HIGH VOLATILE COAL PRODUCED IN DISTRICTS 7 AND 8

Based on the most recent estimates of production and requirements, there will be during the present fuel year a substantial shortage of coal produced in Districts 1, 2, 3, 4 and 6. Under the present restrictions on receipts of these coals by industrial consumers, set forth in § 602.715 (b) of SFAW Regulation No. 27, industrial consumers are concentrating their purchases upon the higher quality coals produced in these districts and neglecting to purchase the lower grade coals. If this practice were permitted to continue, production would be seriously curtailed and it would be impossible for industrial consumers to maintain their minimum stockpiles. Unless there is full production and utilization of the lower grade coals, many industrial consumers will have to curtail operations.

To forestall such a condition, it is imperative that industrial consumers make maximum purchases of the lower grade coals produced in these districts during the next few months. Consumers should currently burn the lower grade coals and purchase their proportionate share of the higher grade coals for stockpiling so that full production at all mines in these districts will be encouraged and the danger of drastic curtailment of receipts during the winter months minimized. To permit the effectuation of this program, the limitations on receipts of these coals by industrial consumers are being suspended until further notice. It is expected, however, that shippers will continue to spread reasonably their shipments of the higher grade coals among their industrial consumer customers so that all industrial consumers of these coals will have a fair opportunity to purchase them for stockpiling. Industrial consumers, at the same time, are urged

and will be expected to make the fullest possible use of the lower grade coals.

Section 602.715 (b) of SFAW Regulation No. 27 (10 F.R. 2909) is accordingly amended to read as follows:

(b) *Restrictions on receipts by industrial consumers of coal produced in Districts 1, 2, 3, 4, and 6 and high volatile coal produced in Districts 7 and 8.* (1) If you receive coal produced in Districts 1, 2, 3, 4 or 6, until further notice, you are not restricted in the amounts of such coal which you may receive during any calendar month.

(2) If you receive high volatile coal produced in Districts 7 or 8,¹ you are prohibited from receiving such coal during any calendar month in amounts greater than those shown on the Stock Limitation Table set forth below. The table operates as follows: Column 1 indicates the consumer's estimated days' supply, as calculated pursuant to the provisions of § 602.711. The remaining columns show the maximum percentage of monthly consumption requirements which the consumer may receive. Column 2 and Column 3 apply to receipts by public utilities (as defined in § 602.701 (1)) except to the extent that they purchase coal for special purpose use (as defined in § 602.701 (b)). Column 4 and Column 5 apply to receipts by all other industrial consumers of coal except to the extent that they purchase coal for special purpose use (as defined in § 602.701 (b)). Column 3 and Column 5 apply to the same class of industrial consumers covered by Column 2 and Column 4, respectively, only to the extent that they receive coal shipped by tidewater and consigned directly to the consumer at a dock or other unloading facility in New York Harbor, New England or Canada.

STOCK LIMITATION TABLE FOR HIGH VOLATILE COAL PRODUCED IN DISTRICTS 7 AND 8 (EXCEPT SPECIAL PURPOSE COAL)

Days' supply	Maximum percentage of monthly consumption requirements			
	Column 1	Public utilities	Other industrial consumers	Column 5
Column 2	Column 3	Column 4	Column 5	Column 5
Less than 15 days.....	110	110	110	110
15 to 19 days.....	110	110	105	110
20 days.....	110	110	100	105
21 to 25 days.....	105	110	(1)	105
26 to 29 days.....	105	110	(1)	105
30 days.....	105	105	(1)	100
31 to 34 days.....	105	105	(1)	(1)
35 days.....	100	105	50	(1)
36 to 39 days.....	(1)	105	50	(1)
40 days.....	(1)	105	50	(1)
41 to 44 days.....	(1)	105	50	(1)
45 days.....	(1)	100	50	50
46 to 50 days.....	(1)	(1)	50	50
51 to 55 days.....	50	(1)	50	50
56 to 60 days.....	50	(1)	50	50
61 days or more.....	50	50	50	50

¹ An amount of coal not in excess of that required to reduce the industrial consumer's stockpile to base by the end of the month for which the coal is ordered. An industrial consumer's base is that days' supply at which he is permitted to receive 100 percent of his monthly consumption requirements, as indicated in the table.

The designation of mines contained in the Minimum Price Schedules of the former Bituminous Coal Division shall be the basis for determining whether coal is low or high volatile coal for the purposes of this regulation.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 18th day of April 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-6231; Filed, Apr. 19, 1945;
11:10 a.m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-53, as Amended Apr. 19, 1945]

TRACK-LAYING TRACTORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of track-laying tractors for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1157.1 Limitation Order L-53—(a)
What this order does. This order restricts the sale and delivery of track-laying tractors.

(b) Definitions. For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture of track-laying tractors.

(3) "Dealer" means any person engaged in the business of acquiring unused track-laying tractors for sale.

(4) "Military agency" means the Army, Navy, Maritime Commission, Veterans' Administration, and any other agency or person so designated by the War Production Board.

NOTE: Subparagraphs (5) and (6), formerly subparagraphs (4) and (5) redesignated Apr. 19, 1945.

(5) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads and obtaining traction from a crawler or track-type device.

(6) "Unused" when applied to track-laying tractors means any track-laying tractor which has never been delivered to an ultimate consumer.

(c) *Restrictions on sale or delivery.*
(1) No producer or dealer shall sell or deliver any unused track-laying tractor to

any person, and no person shall accept any sale or delivery of any unused track-laying tractor unless the sale or delivery is specifically authorized by the War Production Board on Form WPB-1319.¹ This restriction shall not apply to a sale or delivery by a producer to a military agency.

Application for such authorization and for a preference rating must be made by filing the required number of copies of Form WPB-1319 with the War Production Board regional office in the region in which the purchaser desires to use the track-laying tractor, in accordance with the current instructions for the form. When a person receives authorization on Form WPB-1319 to purchase a track-laying tractor, he may give his supplier the authorization along with his purchase order, or, if he prefers, he may give the supplier a certification in substantially the following form: "Authorized under Order L-53—on Form WPB-1319, Case No. _____." This certification shall constitute a representation to the War Production Board that the purchase or delivery of the track-laying tractor ordered has been specifically authorized by the War Production Board on Form WPB-1319.

(2) A dealer shall fill any authorized order for a track-laying tractor from his stock if he has the tractor in stock, and in that case he must not use the authorization to get another from the producer. If he does not have the authorized track-laying tractor in stock he may place an order with the producer for it, furnishing to the producer (on or in connection with his purchase order) the authorization or a certification in the form set forth above. When a dealer receives a cancellation of a purchase or delivery order from a customer who has been authorized to receive a track-laying tractor on Form WPB-1319, he must immediately notify the producer (if he has forwarded the customer's order to the producer) and no shipment of the tractor shall be made by the producer to the dealer on that order.

(d) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

¹ The use of this form has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter should be filed with the field office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates.

(4) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Construction Machinery Division, Washington 25, D. C., Ref: L-53.

Issued this 19th day of April 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-6234; Filed, Apr. 19, 1945;
11:18 a.m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-311 as Amended Apr. 19, 1945]

LOGGING, LUMBER, AND WOOD PRODUCTS MACHINERY AND EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of woodworking machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.83 General Limitation Order L-311—(a) Definitions. For the purposes of this order:

(1) "Producer" means any person who produces, manufactures or assembles woodworking machinery.

(2) "Dealer" means any person engaged in the business of acquiring woodworking machinery for resale; it includes a wholesaler, distributor, jobber, retailer, branch warehouse or other distribution or sales outlet, whether or not owned or controlled by a producer, and any other person performing similar functions.

(3) "Woodworking machinery" means any new machinery or equipment of the kinds specified in Schedule A of this order.

(4) "Class I woodworking machinery" means any woodworking machinery which had a producer's list price on October 15, 1942, or more than \$350 for any single machine or piece of equipment.

(5) "Class II woodworking machinery" means any woodworking machinery which had a producer's list price on October 15, 1942, of \$350 or less for any single machine or piece of equipment.

(6) "Order" means any commitment or other arrangement for the delivery of woodworking machinery, whether by sale, lease, consignment or otherwise.

(7) "Producer's list price" means the sale price at which the producer's catalog or other price publication listed the woodworking machinery, exclusive of the

motor, motor drive or any attachments. However, where the motor, motor drive or any attachments are initially built into the basic machine as an integral part of it, the "producer's list price" shall mean the sale price at which the producer listed the machine as an assembled unit.

(8) "Army, Navy, Maritime Commission, or War Shipping Administration" do not include any privately operated plant or shipyard financed by, or controlled by, any of those agencies, or operated on a cost-plus-fixed-fee basis.

(b) *Restrictions on sale or delivery of Class I woodworking machinery*—(1) *Authorization of purchase orders for Class I woodworking machinery required*. After September 11, 1943, no person shall place an order for Class I woodworking machinery with a producer or dealer, and no producer or dealer shall accept any order for Class I woodworking machinery, or deliver any Class I woodworking machinery to fill any order received after that date, unless the order has been authorized by the War Production Board on Form WPB-3131. Application for an authorization and for a preference rating must be made by the purchaser by filing Form WPB-3131 with the War Production Board as explained in the instructions which accompany the form. When authorization is sought to purchase Class I woodworking machinery and at the same time a preference rating for the purchase of Class II woodworking machinery is applied for pursuant to the requirement of paragraph (c), the application on Form WPB-3131 may also be used to include an application for such Class II woodworking machinery.

(2) *Exemptions*. The restrictions contained in paragraph (b) (1) shall not apply to:

(i) Any orders for or deliveries of Class I woodworking machinery to be used directly by the Army, Navy, Maritime Commission or War Shipping Administration;

(ii) Any orders from or deliveries to a producer or dealer to enable him to fill orders authorized on Form WPB-3131 which he has actually received or to replace woodworking machinery delivered by him from his inventory to fill orders authorized on Form WPB-3131.

(iii) Any order bearing a preference rating assigned pursuant to application on Form WPB-617 (formerly PD-200).

(3) *Certification of authorization which may be used*. Any person applying or extending a preference rating on any order which any of the provisions of this paragraph (b) permit him to place may add to the certificate applying or extending the rating a statement substantially as follows: "This purchase is permitted by Order L-311 which I am familiar with." Any person receiving a certification and rating with this statement shall be entitled to rely on the representation thereof unless he knows or has reason to believe it to be false. However, the application or extension of a preference rating on any purchase order which a person is permitted under this paragraph (b) to place shall not be in-

valid for failure to place this statement on the order.

(c) *Preference ratings on orders for Class II woodworking machinery*. After September 11, 1943, no manufacturer or dealer shall accept any order for Class II woodworking machinery or deliver any Class II woodworking machinery to fill any order received after that date unless it bears a preference rating of AA-5 or higher.

(d) *Restrictions on dealers' inventories of Class II woodworking machinery*. No dealer shall accept delivery of any Class II woodworking machinery which will increase his inventory of that size and type of machine or equipment (irrespective of manufacturing make) beyond five in number; and no producer or dealer shall deliver or cause to be delivered to any dealer any Class II woodworking machinery which he knows or has reason to believe will increase the receiving dealer's inventory of that size and type of machine or equipment (irrespective of manufacturing make) beyond five in number.

(e) *Restrictions on production of Class II woodworking machinery*. Beginning with October 1, 1943, no producer shall fabricate or assemble during any calendar month more Class II woodworking machinery by dollar value than 50% of the quantity by dollar value shipped by him during the second and third preceding months. For example, the dollar value of production in October cannot exceed 50% of the dollar value of shipments in July and August. However, a producer may exceed this limit to the extent necessary to permit him to fill specific purchase orders rated AA-5 or higher actually received by him.

(f) *Operations reports*. Each producer shall, on or before the 10th day of each month after September 1943, file with the War Production Board an operations report on Form WPB-3130 as explained in the instructions which accompany the form.

(g) *Miscellaneous provisions*—(1) *Applicability of regulations*. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations*. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals*. Any appeals from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General In-

dustrial Equipment Division, Washington 25, D. C., Ref: L-311.

(5) *Approval of reporting requirements*. The form of application specified in paragraph (b) (1) and the reporting requirement of paragraph (f) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of April 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

I. The following machinery and equipment is included in the definition of "woodworking machinery" under paragraph (a) (3):

(1) Dry kilns and redriers, including all machinery and equipment used for the purpose of reducing the moisture content of wood or wood products.

(2) Wood treatment machinery and equipment, including all machinery and equipment used for the purpose of making wood or wood products resistant to fire, decomposition, insect and marine parasites, fungal or bacterial growth, stain or discoloration, or for the purpose of preparing wood or wood products for further processing.

(3) Logging machinery and equipment, including all machinery and equipment used for the purpose of falling, bucking, skidding, yarding or loading timber.

(4) Saw mill machinery and equipment, including all machinery and equipment used for the purpose of converting logs into rough sawn lumber.

(5) Veneer and plywood machinery and equipment, including all machinery and equipment used for the purpose of converting logs into veneer or for making plywood from veneer.

(6) Planing mill machinery and equipment, including all machinery and equipment used for sizing, planing, matching, moulding or remanufacturing lumber into commercial sizes or to special specifications, including box shocks.

(7) Wood by-products machinery and equipment, including all machinery and equipment used for the processing of wood refuse products.

(8) Wood container manufacturing machinery, including the following specialized machinery used for the manufacture of wood or veneer containers:

(a) Nailing, splicing, and screw driving machines.

(b) Fruit and vegetable package machinery.

(c) Wood printing machines.

(d) Wire stitching machines used for stitching wood or wood veneer.

(e) Slack barrel and keg machines.

(f) Tight barrel and keg machines.

(g) Stave and barrel heading machines.

(h) Box board matches and squeezers.

(i) Wire bound box making machinery.

(j) Tub and pall machinery.

(k) Wood hamper and basket machinery.

(l) Wood dish machinery.

(m) Bottle box machinery including strapping machines.

(n) Lock and dovetail corner machines.

(o) General woodworking machinery and equipment, including all machinery and equipment used for the purpose of processing lumber or wood into finished wood products or structures, machinery used for maintenance of wood products or structures, machinery and equipment used for the cutting, sawing, shaping, gluing, embossing, stamping, compressing or otherwise processing of wood or wood products, and machinery and equipment primarily designed for wood processing, but used or adapted for use in the processing of other materials.

(10) Service machinery and equipment, including the following machinery and equipment used for the purpose of maintaining woodworking machinery and equipment in sound operating condition:

- (a) Cutter head grinders, including balancing and setting devices.
- (b) Knife grinders, including balancing and setting devices.
- (c) Band, circular and chain saw sharpening machines.

II. The following machinery and equipment is not considered to be "woodworking machinery" for the purposes of this order:

- (1) Track-laying tractors and auxiliary equipment as defined in Limitation Order L-53; (2) Construction machinery and equipment as defined in Limitation Order L-192; (3) Farm wood sawing and splitting machines (for fuel wood), 5 horse power and less, including self-powered cross cut and drag saws, saw mandrels, and wood splitting machines; (4) Spray guns, spray booths and other machinery and equipment used for painting, varnishing or lacquering; (5) Floor finishing, floor sanding and floor maintenance machines as defined in Limitation Order L-222; (6) Portable power driven woodworking tools (except timber falling or bucking saws) which, in the course of normal use, are lifted, held and operated by not more than two persons; (7) Waste disposal and conveyor machinery and equipment other than that which is built into woodworking machinery as an integral part of it; (8) Hand tools; (9) Light power driven tools as defined in Limitation Order L-237, and (10) Component parts such as electric motors, electric switches, and compressors, when manufactured or sold as such and not as integral parts of woodworking machinery.

[F. R. Doc. 45-6235; Filed, Apr. 19, 1945; 11:18 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS [FPR 3, Amdt. 3 to Supp. 3¹]

SOYBEAN PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A sentence is added to the first paragraph of section 7 of Supplement 3 to Food Products Regulation No. 3 to read as follows: "Anything herein to the contrary notwithstanding, on sales from your plant when delivery is made in your own truck or other vehicle, there may be added to your f. o. b. plant price a hauling allowance per 100 pounds of 3 cents for the first five miles or fraction thereof plus 1 cent for each additional 5 miles or fraction thereof up to 22 cents per hundred pounds for the shortest distance between your plant and the point at which your customer takes delivery, reasonably suited for truck or other vehicle movement."

This amendment shall become effective April 24, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6240; Filed, Apr. 19, 1945; 11:32 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS [FPR 5]

GENERAL PRICING PROVISIONS FOR BOTTLED OR CANNED DOMESTIC MALT BEVERAGES SOLD AT RETAIL FOR CONSUMPTION OFF THE RETAILER'S PREMISES

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.

Sec.

1. Compliance with adopting orders.
2. Posting.
3. Evasion.
4. Deposit charges for cases and containers.
5. Sales Slips and Receipts.
6. Licensing.
7. Taxes.
8. Applicability of Revised General Order No. 51.
9. Enforcement.
10. Definitions.
11. Relation to Revised Maximum Price Regulation No. 259.

AUTHORITY: § 1351.474 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, Revised General Order 51, 8 F.R. 408, 11982.

Explanation of the regulation. This regulation puts into one document the provisions common to all retail community pricing orders which cover sales of bottled and canned domestic malt beverages sold for consumption off the retailer's premises and which will be issued for various areas in the United States.

Taken by itself, this regulation does not establish any maximum prices; these are issued in separate documents which are called "adopting orders". Such "adopting orders", when issued, will expressly adopt the provisions of this regulation. The provisions of this regulation will become effective only when they are so adopted.

SECTION 1. Compliance with adopting orders. No retailer, may sell or offer to sell any bottled or canned item of domestic malt beverages for consumption off his premises at a price higher than the dollars-and-cents ceiling price for that item fixed in the price list contained in the adopting order applicable in his area.

Sec. 2. Posting—(a) Ceiling prices. Every retailer selling bottled or canned domestic malt beverages for consumption off his premises must obtain from the Office of Price Administration one copy of the list of dollars-and-cents ceiling prices fixed by the applicable adopting order for such items. This list must be posted at or near the place where the items listed are offered for sale; and it must be posted in such a manner that it can be easily read and so that customers can approach it within a distance of two feet.

(b) Selling prices. Every retailer selling bottled or canned domestic malt beverages for consumption off his premises, must also post his selling price for each such item for which an adopting order fixes a dollars-and-cents ceiling price. The selling price must be posted

either on the item or at or near the place where the item is offered for sale.

Sec. 3. Evasion. No person may evade any of the provisions of this regulation or of an adopting order by any stratagem, scheme or device. He must not, as a condition of selling any bottled or canned domestic malt beverage, require a customer to buy anything else.

Sec. 4. Deposit charges for cases and containers. A retailer may require a purchaser to furnish a deposit to assure return of containers of cases, regardless of his prior practice in this respect. He may also, from time to time, adjust the amount of the deposits required. A deposit required under this section shall not exceed the corresponding deposit furnished by the retailer to his supplier or if the retailer owns the containers or cases, the deposits charged shall not exceed 110 percent of his lawful replacement cost therefor, or such larger sum as the District Director of the Office of Price Administration approves under Revised Maximum Price Regulation 259: *Provided*, That where an authorized office of the Office of Price Administration establishes uniform container or case deposit charges under section 5.2 (c) of Revised Maximum Price Regulation 259, no retailer may require a purchaser to furnish deposit charges in excess of such amounts.

Sec. 5. Sales slips and receipts. Any retailer who has customarily given a sales slip, receipt or other similar evidence of purchase, must continue to do so. Furthermore, regardless of custom, every retailer must give any customer who asks for it a receipt showing the date of the sale, the name and address of his place of business, the customer's name, each brand, type, and container size of domestic malt beverage bottle or can sold, the price charged for each item, and the total sum paid for the purchase.

Sec. 6. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all retailers covered by this order. A retailer's license may be suspended for a violation of any provision of this order. A retailer whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 7. Taxes. Where a statute or ordinance imposing a tax upon or incident to a sale at retail of any item covered by an adopting order does not prohibit stating and collecting the tax separately from the selling price, any seller may collect the tax in addition to his ceiling price if he states the tax separately.

Sec. 8. Applicability of Revised General Order No. 51. This regulation and all adopting orders are issued pursuant to authority granted to Regional and District Offices by the Price Administrator under Revised General Order No. 51. All the provisions of Revised General Order No. 51 are just as much a part of this regulation as if printed here.

Sec. 9. Enforcement. On and after the effective date of the applicable

¹9 F.R. 11849, 13852, 10 F.R. 160, 2756.

adopting order, any person who sells or offers to sell at a price higher than that in the applicable adopting order, or who otherwise violates any provision of this regulation, or of the applicable adopting order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended. In addition, any person who in the course of trade or business buys from a person covered by an adopting order at a price higher than the ceiling price permitted by the order, is subject to the criminal penalties and civil enforcement actions provided for by that act.

SEC. 10. *Definition*—(a) *Domestic malt beverages*. "Domestic Malt Beverages" means a malt beverage produced within continental United States.

(b) *Retailer*. "Retailer" means a person licensed as a retailer under applicable laws, statutes or regulations and engaged in the business of buying and selling malt beverages, without changing the form thereof, primarily to consumers.

(c) *Consumer*. "Consumer" means a person who purchases for consumption the malt beverage being priced.

(d) *Person*. "Person" means an individual, corporation, partnership, association, or any other organized group of persons and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

(e) *Price*. "Price" means the consideration requested or received in connection with the sale of a malt beverage.

(f) Unless the context otherwise provides, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, in the General Maximum Price Regulation, as amended, and in Revised General Order No. 51 shall apply to the other terms used herein.

SEC. 11. *Relation to Revised Maximum Price Regulation No. 259*. This regulation and the applicable adopting orders supersede Revised Maximum Price Regulation No. 259 insofar as prices are established by adopting orders for any area in the United States.

This regulation shall become effective April 18, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6225; Filed, Apr. 18, 1945;
4:26 p. m.]

The table in section 9.1 is amended to read as follows:

	c. i. f. New York	c. i. f. Pacific Coast ports	c. i. f. Gulf ports
Coconut oil:			
Crude, Manila.....	8.35	8.00	-----
Crude, Ceylon.....	8.85	8.50	-----
Cochin type.....	9.35	9.00	-----
Refined edible coconut oil, ex tax.....	9.85	9.50	
	c. i. f. New York	c. i. f. Pacific Coast ports	
Palm oil—African:			
Soft, basis 12% F. F. A.....	8.25	-----	
Semi, basis 35% F. F. A.....	8.25	-----	
Niger, or hard, basis over 45% F. F. A.....	8.25	-----	
	c. i. f. New York	c. i. f. Pacific Coast ports	
Congo Plantation, ba- sis 10% F. F. A.....	8.32	8.20	8.26
Malayan and Sumatra, basis 5% F. F. A.....	8.50	8.38	8.44
Palm kernel oil, crude.....	8.35	-----	
Rapeseed oil, denatur- ed.....	11.50	11.50	11.50
Teased oil, crude in drums.....	30.00	-----	

This amendment shall become effective April 24, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6239; Filed, Apr. 19, 1945;
11:32 a. m.]

PART 1358—TOBACCO
[RMPR 494,¹ Amdt. 2]

DOMESTIC CIGAR FILLER AND BINDER TOBACCO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 494 is amended in the following respects:

1. Section 2 (a) (6) is amended to read as follows:

(6) "Packer's selling weight" means 88% of the green weight of the tobacco being priced. For Farm Filler's grade (Type 41, Stemming Ends grade (Types 54 and 55), and Farmer's Trash grade (Types 42, 43, 44, 54 and 55) the packer's selling weight shall be the weight of the tobacco at the time of sale.

2. Section 2 (a) (11) is amended to read as follows:

(11) "Packer" means a person who with respect to the tobacco being priced

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 53,¹ Amdt. 45]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

¹ 9 F. R. 14725; 10 F. R. 1334.

sorts, grades, sizes, sweats, and bundles, bales or cases the tobacco in accordance with established trade custom as to the type and grade of tobacco involved for use by a manufacturer of tobacco products. However, a person shall be deemed the "packer" of tobacco which he sorts, grades, sizes and bundles, bales or cases and sells before it is fully sweated. A manufacturer shall be deemed a "packer" of any tobacco with respect to which he performs or causes to be performed for his account these functions. With respect to any particular lot of tobacco, there may be only one "packer," regardless of whether the tobacco is re-sweated, re-sorted, re-sized, re-graded or the manner of packing changed from bales, cases or bundles. A grower shall not be deemed a packer solely because he sorts, bundles or cases tobacco after curing and prior to its first weighing after delivery.

3. Sections 6 through 14, inclusive, are redesignated sections 7 through 15, inclusive, and a new section 6 is added to read as follows:

SEC. 6. *Invoices to be furnished by sellers of packed tobacco*. All sellers of packed cigar filler and binder tobaccos must furnish the buyers thereof with a written invoice for each sale. The invoice shall include an accurate and complete description of the tobacco covered by the invoice and it shall specify the following information with respect to the tobacco being sold:

(a) The type of the tobacco, as listed in section 2 (a) (1).

(b) The grade of the tobacco as defined in section 2 (a) (2).

(c) Whether the tobacco is sold as run of crop or unassorted, or as sized and sorted.

(d) The length of the leaves where length makes a difference in price.

This amendment shall become effective April 18, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

Approved: April 17, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-6226; Filed, Apr. 18, 1945;
4:26 p. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 580,¹ Amdt. 2]

RETAIL CEILING PRICES FOR CERTAIN APPAREL
AND HOUSE FURNISHINGS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation 580 is amended in the following respects:

1. Section 1 (c) is amended by deleting the parenthetical sentence in the first paragraph thereof and substituting therefor the following sentence: "(How-

*Copies may be obtained from the Office of Price Administration.

¹ 10 F.R., 3015, 3468, 3642.

ever, any seller whose annual net dollar volume of total sales to individual ultimate consumers of all the articles covered by this regulation amounts to less than \$2,500, or any seller all of whose sales to individual ultimate consumers are 'accommodation sales' as defined in section 6.3 (b) of Second Revised Supplementary Regulation 14,² may if he wishes, continue to fix his ceiling prices under the regulation which applied before issuance of this regulation. Such a seller who elects to fix his ceiling prices under such regulation need not comply with the provisions of this regulation.)"

2. Section 1 (c) is amended by deleting the second sentence in the third paragraph thereof beginning "A chain subject to a uniform pricing order * * *" and by substituting therefor the following sentence: "All of the selling outlets of a chain which are included in one group, zone, class or area under a uniform pricing order, or which, in the absence of a uniform pricing order, constitute a group to which the chain sends invoices or statements which show the same selling prices (but do not show costs) for articles, are subject to the provisions of this regulation as a single separate seller with respect to the sale of all articles covered by this regulation which the chain buys and sells (through those outlets) in substantially the same form.

3. Section 2 is amended by amending Footnote 2 to read as follows:

"Your OPA District Office" is the district office having jurisdiction over the area in which your store is located. However, if you are a chain subject to a uniform pricing order "your OPA District Office" for those outlets included in one group, class, zone or area under a uniform pricing order, is the OPA Office which issued it. If you are either a small order establishment (as defined above) or a chain which, pursuant to section 1 (c) files a single chart for a group of stores not subject to a uniform pricing order, "your OPA District Office" is the Central Pricing Office of the OPA, Washington 25, D. C.

4. Section 2 is amended by amending the second undesignated paragraph thereof to read as follows:

The chart must be signed by one of your officers or owners. However, a chart for an outlet which is itself a separate seller under this regulation or a department in a departmentalized establishment, may be signed by the store manager or department head.

5. Section 4 (b) (1) is amended by amending Footnote 4 to read as follows:

"If you are an outlet of a chain not included in a group of outlets for which your central office is permitted to use the same pricing chart in accordance with section 1 (c), you may use the invoice furnished by your central office.

² 10 F.R. 1154, 10 F.R. 2026, 10 F.R. 2161, 10 F.R. 2432. "Accommodation sale" means a sale made entirely without profit, solely for the benefit or convenience of the purchaser—for example, a sale by an employer to his employees, or by a school to its students—and not for the purpose of promoting trade. It does not include sales by cooperative, nonprofit or other organizations which make sales initially above cost, but later give refunds, bonuses, dividends, or other allowances to purchasers.

6. Section 4 (b) (6) is amended by deleting the last two sentences therefrom, beginning "Round your cost . . ." and by adding subparagraph (7) to read as follows:

(7) You may round your cost to the nearest cent. Thus, you may list \$1.735 as \$1.74, and \$1.734 as \$1.73.

7. Section 7 is amended by deleting from the fifth undesignated paragraph thereof the parenthetical sentence "(Round the cost to the nearest cent)" and substituting therefor the sentence "(You may round your cost to the nearest cent.)"

8. Section 7 is amended by amending Footnote 8 to read as follows:

* If you are an outlet of a chain not included in a group of outlets for which your central office is permitted to use the same pricing chart in accordance with section 1 (c), and if your chart was not prepared on the basis of net cost of articles to your central office, "your supplier's maximum price" for articles shipped to you by your central office is the amount shown on your central office's invoice to you correctly prepared under General Order No. 1 issued under section 23 of this regulation.

9. Section 8 (a) is amended to read as follows:

(a) All sellers other than mail order establishments. Except as provided in paragraph (b) below, between the date when you receive from OPA an acknowledgment of the filing of your chart and May 10, 1945, you may fix your ceiling price for any article covered by this regulation, either under the pricing rules in section 7 or under the regulation which applied to that article on the base date. On and after May 10, you may not offer, sell or deliver any article covered by this regulation at a price higher than the maximum prices fixed under section 7 of this regulation.

10. Section 10 (a) is amended by inserting in the first sentence thereof the clause "or if for any other reason you cannot prepare a base date pricing chart" between the phrase "and the base date" and the phrase "you must fix."

11. Section 10 (c) is amended by deleting the phrase "covered by this regulation" from the first sentence thereof and by substituting therefor the phrase "which must be priced under this section."

12. Section 15 is amended to read as follows:

SEC. 15. *Marking, tagging, and posting.* On and after August 1, 1945, you must mark either the maximum price or the selling price of each article covered by this regulation by either of the methods described in paragraphs (b) and (c), in a manner plainly visible to, and understandable by, the purchasing public. In addition, each article which you receive on or after May 10, 1945, must be marked or tagged as required by this paragraph.

* You may, if you wish, list your gross invoice cost per dozen, per gross, or per hundred, and your purchase discounts, in parenthesis, following the net unit cost. Thus, you might list "\$1.29 (\$16.00, 3/10 EOM per dozen)."

(b) *Marking.* You may mark the maximum price or the selling price on the shelf, bin, rack, or other holder or container upon or in which the article is kept provided all the articles kept on or in the shelf, bin, rack, holder or container have the same maximum price or selling price.

(c) *Tagging.* If you do not wish to mark the prices as described in (b), you must mark the maximum price or the selling price on each article itself by writing the price directly on the article or by attaching to the article a tag or ticket stating the maximum price or selling price.

(d) *Ways to mark or tag maximum prices.* If you wish to mark or tag your maximum prices, you may do so in either of the following ways:

(1) "Ceiling Price \$____," or
(2) "Our Ceiling, \$____."

(e) *How to mark or tag selling prices.* If you do not wish to mark or tag your maximum prices, you must mark or tag your selling price as follows: "OPA Price, \$____."

(f) *Posting.* If you wish to mark or tag articles with the selling price as described in (e), you must also post in a prominent and clearly visible position in your store, a sign stating the following:

The "OPA Price" marked or tagged on merchandise in this store is no higher than the OPA ceiling price of the articles.

(g) *How to mark or tag articles on and after May 10, 1945.* On and after May 10, 1945 you may not offer or sell any article covered by this regulation unless it is marked or tagged with the maximum price or the selling price under this regulation. However, until August 1, 1945, the words "Ceiling Price", "Our Ceiling", or "OPA Price" need not be shown on the marking or tag except in the case of articles which you received on or after May 10, 1945.

(h) *Visibility of marking.* If you adopt the method in (b) above, the maximum price or selling price of each article offered for sale must be clearly visible to the purchaser at the place in your store where it is offered for sale. The price for an article must not be obscured by or combined with the marking of prices of other articles or commodities. Note that you may not adopt the method described in (b) above if the articles are kept in a container, room, or place not readily visible to the purchaser.

(i) *By mail order establishments.* (1) Mail order establishments must mark their maximum prices for articles listed in printed price lists which have been printed after the base date, in either of the following ways:

(i) State the maximum price for each article covered by this regulation and listed in the price list, at the place in the publication where the article is listed.

(ii) Print on the front cover of each printed price list (or on the front page of any list that has no cover) the following statement:

NOTICE TO CONSUMERS

No price for any article listed or described herein exceeds the ceiling price for that article, as determined under the applicable max-

FEDERAL REGISTER, Friday, April 20, 1945

imum price regulation issued by the Office of Price Administration. As required by that Office, we will, upon request, furnish you with a statement of our maximum prices on any of the commodities listed about which you inquire.

If you use this method, you must, upon request, furnish to any customer who requests it a statement of your maximum price for any articles listed or described in your printed price listed and covered by this regulation.

(2) Any mail order establishment may apply to its OPA District Office for permission to mark its maximum prices in some way different from that described in (1). The application must describe the manner in which the seller wishes to mark his maximum prices and must show why the requirements of (1) are inequitable or inappropriate as applied to the applicant's business, and that the requested method of marking is substantially in line with the requirements of (1).

13. Section 16 is amended by deleting the second sentence thereof and substituting therefor the following sentence. "All such records must be kept at your store, except that a chain subject to a uniform pricing order or a chain which files its chart with the Central Pricing Office, Washington, D. C., or a person who sells through salesmen making sales at uniform prices, must keep all the records required by this section at the seller's main office (or at the office indicated in the seller's uniform pricing order)."

14. Section 16 (c) is added to read as follows:

(c) *Records under previously applicable regulations.* You must preserve for inspection by the OPA all your records under the GMPR, MPR 142, MPR 177, MPR 210 and MPR 332.

15. Section 20 (a) is amended by inserting the number "8," between the words "in sections" and the figures "10 and 16 (a) (5)", and by adding subparagraph (6) to read as follows:

(6) Maximum Price Regulation 178* (Women's Fur Garments) insofar as that regulation applies to sales by retailers of fur hats and muffs.

16. Section 20 is amended by adding paragraph (c) to read as follows:

(c) *Sales of yard goods to manufacturers.* This regulation does not apply to sales of yard goods to persons who fabricate commodities from such yard goods, or who furnish such yard goods to the fabricators for production into commodities, whether or not such finished commodities are covered by this regulation. Such sales of yard goods are covered by MPR 127* (Finished Piece Goods).

17. Section 25 is added to read as follows:

SEC. 25. *Delegation of authority.* Any Regional Office of the OPA, or such other offices as may be authorized by order issued by the appropriate Regional Office, may act on all (a) base date pricing

charts and amendments thereto filed pursuant to sections 2 and 6, respectively; (b) reports as to new categories or new sellers filed pursuant to section 10 (c); and (c) applications by mail order establishments under section 15 (h) (2).

18. Paragraph (b) in Appendix B is amended to read as follows:

(b) Any article for which the OPA has established a uniform dollar-and-cents retail ceiling price otherwise than pursuant to section 13 of this regulation.

19. Appendix B is amended by adding paragraphs (q), (r), (s), (t), and (u) to read as follows:

(q) Rubber or rubber substitute commodities whose retail ceiling prices are subject to MPR 220.*

(r) Antiques.

(s) Indian and Eskimo handicraft objects which are produced by the manual skill of American Indians, Alaskan Indians or Eskimos.

(t) Flat woven Navajo type rugs produced on hand looms from domestic wool.

(u) Knotted oriental rugs.

This amendment shall become effective April 18, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6222; Filed, Apr. 18, 1945;
4:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 580, Gen. Retail Order 1]

PURCHASING OFFICES OF CHAINS

An opinion accompanying this General Retail Order No. 1 under section 23 of Maximum Price Regulation 580¹ has been issued simultaneously herewith and filed with the Division of the Federal Register.

Sec.

1. Purpose of this order.
2. Who is covered by this order.
3. Statement of service charges.
4. Service charges.
5. Furnishing of statements of cost.
6. Records.

AUTHORITY: § 1499.86 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Purpose of this order.* Under MPR 580 ceiling prices for the articles covered by the regulation must be figured on the basis of "net cost." It is therefore necessary that each seller under MPR 580 have a purchase invoice for each article, and that the costs shown on such invoices should not be arbitrarily inflated. To ensure that sellers whose merchandise is purchased for them by their central offices or by buying organizations, will in the future receive in-

voices which contain service or handling charges no greater than those on which their base date markups were figured, this order requires purchasing offices of chains not having uniform pricing orders to supply invoices reflecting service charges no higher than their customary charges on and before the base date of MPR 580.

SEC. 2. *Who is covered by this order.* This order applies to the purchasing offices of chains, except those to which uniform pricing orders have been issued, and except those which notify their retail outlets of the retail prices only and not the costs. In this order sellers subject to MPR 580 are referred to merely as "retail outlets" and articles covered by MPR 580 are referred to merely as "articles."

For purposes of this order the "purchasing office of a chain" is the office, warehouse or department of a retail chain which purchases merchandise for distribution and furnishes invoices or some other statement of costs to retail outlets which are under common ownership or control with the purchasing office and are subject to MPR 580.

SEC. 3. *Statement of service charges—*

(a) *Filing of statements.* On or before April 20, 1945, you must file with the Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C., two copies (signed by an officer, owner or office manager) of a statement (described in (b) below) of your customary service charges.

The term "service charge" as used in this order means any amount which you add to the "net cost" (calculated from your supplier's invoice for an article according to the instructions in section 4 (b) (1) of MPR 580) in fixing the net price of such article to one of your retail outlets, whether or not you actually perform any service in connection with the distribution of the article.

(b) *Contents of statement.* Your statement must contain the following information:

- (1) Your business name and address.
- (2) The service charges you made to your retail outlets between January 1 and March 19, 1945, in the following detail:
 - (i) If you made different charges for different kinds of articles or for different price lines, state the charge for each. State your charge either as a percentage of the invoice cost of the article (indicate whether net or gross cost) or as a dollar-and-cents amount, whichever has been your customary practice. If you customarily make your charge on some other basis, state the charge or the basis. For example, if your practice was to retain discounts and to charge your retail outlets with gross invoice costs, state that fact.
 - (ii) If you made different charges to different classes of retail outlets, state the charge to each class of outlet.
 - (iii) If you made no service charge at all, or no service charge to certain classes of retail outlet, state that fact, and describe such classes of retail outlet.
 - (iv) If you made a service charge but also provided your retail outlets with a statement showing net invoice costs to

¹ 10 F.R. 3015.

² 8 F.R. 16689; 9 F.R. 1116, 6431, 7198, 9650;
10 F.R. 1747.

* 7 F.R. 5277, 67771, 8016, 8948; 8 F.R. 760;
9 F.R. 754, 10358; 10 F.R. 3723.

³ 9 F.R. 2464, 3031, 4029, 4879, 10088, 12020,
12636, 13067, 14014; 10 F.R. 412, 2014, 3099.

you from your supplier and if the net costs stated on the charts of your retail outlets are the net costs of your supplier determined from your supplier's invoice, state these facts.

(c) *Failure to file a statement.* On and after May 4, 1945, you must not state on your invoice to any retail outlet a net price for any article which exceeds your "net cost" (calculated from your supplier's invoice for an article according to the instructions in section 4 (b) (1) of MPR 580) until you have received from the OPA an acknowledgment of the filing of the statement described above.

(d) *Amendment of statements.* If you find that you have filed an incorrect statement, you must immediately file a correct statement with the OPA and you must attach to your corrected statement an explanation of the reasons why the correction is necessary. Until you have received an acknowledgment from the OPA of the filing of your corrected statement, your statements of cost to retail outlets for articles may not reflect any service charge higher than the appropriate charge shown on your previously filed statement.

The OPA may, at any time, require you to submit to it your evidence that the information in your corrected statement is accurate.

(e) *Changes which may be required by order.* If the level of prices of your retail outlets is increased by reason of the fact that your service charges exceed those which you charged during the period from January 1, 1945, to March 19, 1945, or if the OPA at any time cannot readily ascertain that your service charges are the same as those contained on your statement, it may, by order, modify your statement and require that you state costs to your retail outlets in a specified manner.

SEC. 4. *Service charges.* This section describes the amount of service charge which may be included in the price of articles as shown on the statements of cost for such articles which you send to your retail outlets. (These statements of cost are described in section 5.) Your net cost² for an article purchased by you on behalf of a retail outlet plus the service charge described in this section is the "supplier's maximum price" for that article referred to in footnote 8 to section 7 of MPR 580, and is the greatest amount which the retail outlet may use as his net cost in figuring his ceiling price under section 7 or 9 of that regulation.

You may not include in the retail outlet's cost of an article, as shown on the statements of cost you supply, any service charge higher than the appropriate charge correctly computed and shown on the statement of service charges you filed, or were ordered to make under section 3. If your statement of service charges shows no service charge for the article, or if the net costs stated on your outlet's charts do not include a service charge, or if you were ordered to make no service charge therefor, or if you have

not received an acknowledgment from the OPA of the filing of your statement of service charges, you may not include any service charge, and the net price shown on the statements of cost you supply may not be higher than your net cost.

SEC. 5. *Furnishing of statements of cost.* On and after April 20, 1945, for each shipment to a retail outlet (whether such shipment is made by you or by another person) of articles purchased by you on its behalf, you must furnish it with a statement of cost covering those articles, unless your supplier sends it an invoice covering the articles. You must prepare this statement of cost in duplicate. For the purpose of this order, a statement of cost shall include any document by which goods are transferred and which lists the following:

- (a) Your name and address.
- (b) The retail outlet's name or designation and its address.
- (c) The date.
- (d) An identification (by description or by style, model or lot number) of each article.
- (e) The quantity of each article covered by the statement.
- (f) The cost price of each article. This may not exceed "net cost" (calculated from your supplier's invoice for an article according to the instructions in section 7 of MPR 580) plus the service charge described in section 4.

SEC. 6. *Records.* You must preserve the records required by this section for so long as the Emergency Price Control Act of 1942 as amended, remains in effect. All such records must be kept in your main office.

(a) *Preserving invoices and statements.* You must preserve all invoices which you receive from your suppliers for articles and you must also preserve a duplicate copy of all statements of cost which you furnish to your retail outlets pursuant to section 5. If you have or wish to keep in your central office, warehouse or department, records or documents which will identify your statements of cost and contain the information required on such statements, you may apply to the Office of Price Administration, Washington 25, D. C. for an order authorizing you to preserve these other specified records or documents in lieu of duplicate copies of statements of cost.

(b) *Invoice reference record.* For each statement of cost you furnish to a retail outlet for articles on or after April 20, 1945, you must keep a record which identifies the invoice you received from your supplier for those articles. This record may be kept in any form you choose, provided that, from such record, any article can be readily traced from your statement of cost to one of your retail outlets back to your supplier's invoice and can also be traced from your supplier's invoice to the statement of cost you sent to your retail outlet for the article.

(c) *Base date record.* You must preserve for inspection by the Office of Price Administration, all records, invoices,

contracts, and other documents which show your customary service charges between January 1 and March 19, 1945.

Effective date. This order shall become effective April 18, 1945.

Note: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6223; Filed, Apr. 18, 1945;
4:25 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 580; Gen. Retail Order 2]

ALTERNATIVE METHODS OF PREPARING BASE DATE PRICING CHARTS AND CERTAIN RECORDS

An opinion accompanying General Retail Order No. 2 under section 23, of Maximum Price Regulation 580 issued simultaneously herewith has been filed with the Division of the Federal Register.

Sec.

1. Coverage.
2. Listing of invoices.
3. What is an invoice.
4. Articles for which invoices are not obtainable.
5. Articles acquired by transfer from another seller in the same selling establishment.
6. Articles offered for sale.
7. Statement of volume of sales in 1944.

AUTHORITY: § 1499.87 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Coverage.* This order provides alternative methods for preparing the base date pricing charts required by sections 2, 3 and 4 of Maximum Price Regulation 580 and keeping certain of the records required in section 16 of MPR 580 in the cases described below.

SECTION 2. *Listing of invoices.* Any seller subject to MPR 580 may, if he wishes, list his invoices on his base date pricing chart by either of the methods provided in this section, rather than as provided in section 4 (e) (2) of MPR 580.

Under this section an invoice may be listed in either of two ways:

(a) *Identifying number for invoice.* The seller may enter in column 5 of the chart, his own identifying number for that invoice, and in parenthesis, an identification of the article covered by such invoice. However, any seller who lists his invoices in this manner must assign a different number to each invoice he lists on his chart, and must enter that number on the invoice. He must also either keep a record showing his identifying number for each invoice listed on his chart and his supplier's name, invoice number (if any), and date for that invoice, or segregate the invoices listed on the chart, number them with his identifying number, and keep them filed in numerical order.

(b) *Identifying number for supplier.* The seller may list his invoices as de-

² "Net cost" must be calculated according to the instructions in section 7 of MPR 580.

* 10 F.R. 3015.

scribed in section 4 (e) (2) of MPR 580, except that he may substitute for the name of his supplier, an identifying number for that supplier. However, any seller who lists his invoices in this manner must assign a different number to each supplier from whom he purchased articles offered for sale on the base date, and must keep a record showing the name of each such supplier and the number assigned to each supplier.

SEC. 3. What is an invoice—(a) Substitute documents. For purposes of preparing the base date pricing chart and for keeping the records required by section 16 of MPR 580, any seller who purchases articles covered by MPR 580 through a central purchasing office, or who for any other reason has not in the past customarily kept the original invoices received from his supplier in the place where his sales are made, may, if he wishes, substitute for such original invoice a document containing the following information:

(1) The supplier's name and address. (If the seller purchases through a central purchasing office, he may use, as his supplier's name, the name of the purchasing office).

(2) The date of receipt of the merchandise.

(3) An identification of each article whose purchase is covered by the document, by description or by style, model or lot number.

(4) The quantity of each article.

(5) The net cost (or gross cost and all discounts, terms and allowances) of each article.

(6) A notation from which the original invoice received from the supplier covering each article described in (3) can be identified.

(b) Original invoices. Of course, any seller who uses as an invoice the substitute document described in (a), must either keep the original supplier's invoices himself, or such original invoices must be kept by his central purchasing office for inspection by the OPA.

SEC. 4. Articles for which invoices are not obtainable. This section provides the methods to be used in preparing charts by sellers who have no invoices for particular articles they offered for sale on the base date, and who cannot obtain such invoices.

(a) Sellers who have cost records for none of the articles offered for sale on the base date. A seller who has invoices or other cost records for none of the articles covered by MPR 580 which he offered for sale on the base date cannot prepare a base date pricing chart and must therefore figure his prices under section 10 of MPR 580 and file the report required by that section.

(b) Sellers who have cost records but no invoices for some articles offered for sale on the base date. A seller who has no invoice for some of the articles he offered for sale on the base date, and who has no invoice for any other article in the same category which had the same net cost and was offered for sale on the base date, but who has some other record showing the cost of such article, must prepare his chart as required by sections 3 and 4 of MPR 580, except that he lists

in Column 2, the net cost determined from such record rather than the net cost determined from his last invoice, and he states in Column 5 that he has no invoice. He then either enters in Column 5 or states on a separate sheet attached to his chart, the reason why he has no invoice and an identification of the cost record from which he established the cost listed in Column 2. He must, of course, preserve such cost records for inspection by the OPA.

(c) Sellers who have invoices or cost records for some but not all of the articles offered for sale on the base date. A seller who has invoices or other cost records for some of the articles offered for sale on the base date, but who offered some articles for which he has neither invoices nor other cost records, must prepare his chart as described in sections 3 and 4 of MPR 580, except that he does not list any cost, offering price or invoice for the articles for which he has no invoices or other cost records. As to those articles he must attach to his chart a list of the articles, containing a description of each article in sufficient detail to identify it, his best recollection of the cost of each article, and his offering price for each article on the base date. On and after April 20, 1945 his maximum prices for the articles described on this list which he had in stock on the base date are the prices shown for such articles on the list. Note however, that the ceiling prices of articles of the same style, model or lot number received after the base date must be fixed under section 7 or 9 of MPR 580.

SEC. 5. Articles acquired by transfer from another seller in the same selling establishment. If a seller acquired an article which he offered for sale on the base date by a transfer from another seller which is part of the same selling establishment (that is the same legal entity) he must ignore that article in preparing his chart. After April 20, 1945, in figuring his maximum price for that article or any other article acquired in the same manner, he must use as his net cost the net cost determined from the invoice received by the other seller. The document covering the transfer must show the original invoice cost and must be preserved for inspection by the OPA.

SEC. 6. Articles offered for sale. A chain to which a uniform pricing order has been issued or a chain which, between December 18, 1944 and March 19, 1945, sent to its retail outlets statements showing only the retail selling prices of articles covered by MPR 580 (and not their cost) may use the method provided in this section for determining which articles were offered for sale on the base date.

(a) Preparation of charts. Under this section the chain may, at its option, prepare its base date pricing charts as if its retail outlets were offering for sale on the base date all the articles covered by MPR 580 which it charged to them between December 18, 1944 and March 19, 1945. In addition, the charts prepared by the chain must list the costs and offering prices of all other articles for which the retail outlets themselves determined the selling prices and which

they offered for sale on the base date. A separate chart must be prepared for each group of retail outlets designated as a single seller under a uniform pricing order or each group of retail outlets for which the chain customarily established uniform retail selling prices for all the articles covered by MPR 580 and offered by the outlets, each chart must show the names and addresses of all retail outlets to which it applies.

Under this section, the chain lists in Column 1 of the chart all of the categories which it charged to its outlets during that period. In Column 2 it lists the net cost to the chain (as described in section 4 (b) of MPR 580) for each article charged to the retail outlets during that period. In Column 3 it lists the prices at which it directed its outlets to offer each article whose cost is listed in Column 2.

To complete the chart, Columns 4 and 5 must be filled in as provided in sections 4 (d) and (e) of MPR 580, and the net costs, offering prices and invoice identification of articles whose selling prices were determined by the retail outlets themselves must be included on the chart.

(b) Notice to retail outlets. On and after May 4, 1945, no retail outlet of a chain which either is subject to a uniform pricing order or which files its chart with the Central Pricing Office of the Office of Price Administration, Washington 25, D. C. may offer or sell any articles covered by MPR 580, unless it has received the notice required by this paragraph. In the case of chains to which uniform pricing orders have been issued, a copy of the uniform pricing order is the notice required by this paragraph. In the case of other chains described above the following notice, signed by an officer or authorized agent, must be sent to each retail outlet:

NOTICE

The MPR 580 base date pricing chart for our stores will be prepared centrally by our company. One copy thereof will be available for inspection at our main office at _____ and two copies will be filed with the Central Pricing Office, Office of Price Administration, Washington 25, D. C.

Signed _____

(company name)

By _____

(officer or agent)

SEC. 7. Statement of volume of sales in 1944. Any seller may state his approximate dollar volume of sales of all goods in 1944 by listing the bracket which includes it, as follows:

Under \$10,000
\$10,000-\$19,999
20,000-29,999
30,000-49,999
50,000-99,999
100,000-299,999
300,000-499,999
500,000-999,999
1,000,000-1,999,999
2,000,000-9,999,999
10,000,000-and over

This order shall become effective April 18, 1945.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6224; Filed, Apr. 18, 1945;
4:25 p. m.]

Chapter XIX—Defense Supplies
Corporation

[Rev. Reg. 3]

PART 7003—LIVESTOCK SLAUGHTER
PAYMENTS

APRIL 9, 1945.

Defense Supplies Corporation Regulation No. 3 as revised and amended is set forth below.

§ 7003.1 Definitions. When used in the regulations in this part, the following terms shall have the following meanings:

(a) "Person" means an individual, corporation, partnership, association, institution, or other business entity, or legal successor or representative of any of the foregoing.

(b) "WFO 75" means War Food Order No. 75, as amended, or as it may be amended from time to time by the War Food Administration.

(c) "License" means the license or permit to slaughter issued under WFO 75.

(d) "Basic claim" means a claim on account of slaughter of any livestock at the basic rates provided in § 7003.5, paragraphs (a) through (e).

(e) "Extra compensation" means a claim on account of slaughter of cattle to applicants eligible under § 7003.2 (b).

(f) "Slaughter" means to kill livestock or have it killed for the purpose of obtaining meat. For purposes of this regulation, livestock is slaughtered by the person who owns it at the time of slaughter.

(g) "Livestock" means cattle, calves, hogs and pigs, and sheep and lambs.

(h) "Live weight" means the purchase weight of livestock slaughtered except that if the livestock have been fed for more than thirty (30) days after purchase by the slaughterer, live weight means the transfer weight from feed lots.

(i) "Bovine animals" means cattle and calves.

(j) "Cattle" means bovine animals, slaughter of which results in the production of beef.

(k) "Calves" means bovine animals other than cattle.

(l) "Beef" means meat derived from the carcasses of cattle which does not qualify as veal as defined in § 1364.470 (a) (3) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(m) "Establishment" means each separate plant within the continental United States where livestock is slaughtered.

(n) "Accounting period" means the customary accounting period of a calendar month or a period of at least four weeks and not more than five weeks in length used by the slaughterer in keeping his books and records, and shall be the same period used by him in making reports required by War Food Administra-

tion and the Office of Price Administration covering his slaughtering operations.

(o) "Applicant" means any person who files a claim for payment in accordance with this regulation.

(p) "Condemned meat" is meat that has been condemned at the time of slaughter as unfit for human consumption by inspectors of the United States Department of Agriculture or of any state or local government agency.

(q) "Grade" means any of the six grades of cattle known by the descriptions (1) AA or choice; (2) A or good; (3) B, commercial or medium; (4) C, utility or common; (5) D or cutter and canner; and (6) bulls of cutter and canner grade; and is determined on the basis of the carcass grade after slaughter in accordance with the official standards for such grades of cattle of the United States Department of Agriculture.

(r) "Established prices" means the range of prices for live cattle of each grade delivered at slaughtering establishments within specified zones, or at specified markets, as certified from time to time to Defense Supplies Corporation by the Office of Price Administration and the War Food Administration.

(s) "Non-processing slaughterer of beef" means an unaffiliated slaughterer as hereinafter defined who during six consecutive months of 1942, sold, and who currently sells, 98% or more, measured in dressed carcass weight, of the total beef produced from cattle slaughtered by him in all his establishments, in the form of carcasses, wholesale cuts, boneless beef or ground beef.

(t) "Unaffiliated slaughterer" means a slaughterer who does not own or control a processor or purveyor of meat, and who is not owned or controlled by a processor or purveyor of meat. "Unaffiliated slaughterer" shall not include any institution, representative or agency of Federal, State or local governments.

(u) "Processor or purveyor of meat" means a person who processes fresh beef or sells or dispenses fresh or processed meat or products containing meat, at wholesale or at retail, or in a hotel, restaurant or other eating establishment.

(v) "Own or control" means to own or control directly or indirectly a partnership equity or in excess of ten per cent of any class of outstanding stock or to have made loans or advances in excess of five per cent of the other person's monthly sales.

(w) "Carcasses" means beef carcasses as defined in § 1364.455 (a) (8) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(x) "Wholesale cuts" means beef wholesale cuts as defined in § 1364.455 (a) (9) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(y) "Boneless beef" means the dressed carcass equivalent of boneless beef covered by § 1364.452 (1), (m), and (n) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(z) "Ground beef" means the dressed carcass equivalent of ground beef as defined in § 1364.452 (p), (4) of Revised

Maximum Price Regulation No. 169 issued by the Office of Price Administration.

§ 7003.2 Persons eligible to apply for payment—(a) Basic claims. Any person who has a license or is permitted to slaughter by WFO 75, and who slaughters 2,500 pounds or more of livestock, live weight, in any one calendar month after December, 1944, may file a claim for payment on account of such livestock slaughtered on and after January 29, 1945. No person who kills livestock for the account of others is eligible to file a claim for payment on account of such livestock.

(b) *Extra compensation.* Any non-processing slaughterer of beef as herein defined who is entitled to payment on a basic claim filed on account of cattle slaughtered on and after January 29, 1945, may file a claim for extra compensation (at rates provided in § 7003.5 (f)) on account of the same cattle as covered by his basic claim.

§ 7003.3 Filing claims for payment—(a) Place of filing. Claims for payment shall be filed with Defense Supplies Corporation at the regional office for the district in which the establishment is located, except that a person slaughtering in more than one establishment must file claims for payment for all of his establishments at the regional office for the district in which his main office is located.

(b) *Time of filing.* Claims for payment shall be filed after the last day of the accounting period in which the slaughter took place, and on or before the last day of the next full calendar month following the end of the accounting period in which the slaughter took place.

(c) *Form of claim—(1) In general.* All claims for payment shall be filed in triplicate on forms approved by Defense Supplies Corporation and all information therein provided for shall be supplied. A separate claim shall be filed for each establishment and each accounting period of the applicant, except as otherwise required by Defense Supplies Corporation.

(2) *Custom slaughter.* Claims of persons who slaughter in establishments operated by others must be accompanied by a statement from the operator of such establishment on forms approved by Defense Supplies Corporation, giving all the information therein provided for. If a person kills livestock for another, and also slaughters for his own account, his claim for payment on account of the livestock he slaughters for his own account must be accompanied by a complete report of the livestock killed for each other slaughterer.

(d) *Supporting documents.* Every applicant shall file with Defense Supplies Corporation a copy of his current quota base or license, and each claim shall be supported by a copy of the report required of the applicant by the Office of Price Administration or the War Food Administration covering his slaughter, or such reports and documents as Defense Supplies Corporation may require.

§ 7003.4 Records and reports—(a) Reports required by other agencies. Every applicant shall file with the Office of Price Administration and with the

War Food Administration the reports required of him under any regulation of those Agencies applicable to the purchase or sale of livestock or to livestock slaughter or to the sale or distribution of meat.

(b) *Records required by this regulation.* Every applicant shall keep the records required of him by any regulation of the Office of Price Administration or the War Food Administration applicable to the purchase or sale of livestock or to livestock slaughter or to the sale or distribution of meat and in addition keep accurate records which furnish complete information in support of each claim, and such other records as may be required by Defense Supplies Corporation.

(c) *Inspection of records.* Every applicant shall preserve for inspection for a period of not less than two years after the date of filing a claim, books, records and other documents, which furnish information in support of such claim and Defense Supplies Corporation or its designated agent shall have the right at any time to make such examinations and audits of the books, records and other documents as any be necessary to ascertain the facts set forth in such claim or as may be required by Defense Supplies Corporation.

(d) *Failure to comply.* Defense Supplies Corporation shall have the right to declare invalid any claim of an applicant who has failed to comply with the requirements of this section.

§ 7003.5 *Rates of payment*—(a) *Calves, sheep and hogs.* Defense Supplies Corporation will make payment on approved basic claims for calves, sheep, lambs, hogs and pigs at the following rates:

	<i>Cents a pound</i>
Calves	1.1
Sheep and lambs	.95
Hogs and pigs	1.3

(b) *Ungraded cattle of small slaughterers.* Defense Supplies Corporation will make payment on approved basic claims for cattle which do not report cattle by grades, from applicants who are not required to report cost of cattle, at the rate of 1.1 cents (\$0.011) a pound.

(c) *Ungraded cattle of large slaughterers.* Defense Supplies Corporation will make payment on approved basic claims for cattle which do not report cattle by grades, of applicants who are required to report cost of cattle, at the rate of one-half of one cent (\$0.005) a pound. This applies only to applicants who come under § 7003.7 (a) (3).

(d) *Government graded cattle.* Defense Supplies Corporation will make payment on approved basic claims for cattle which report cattle by grades as graded by an official grader of the United States Department of Agriculture, at the following separate grade rates:

	<i>Cents a pound</i>
AA or choice	2.0
A or good	1.95
B, commercial or medium	0.9
C, utility or common	0.5
D, or cutter and canner	0.5
Bulls of cutter and canner grade	0.5

(e) *Self-graded cattle.* Defense Supplies Corporation will make payment on approved basic claims for cattle which

report cattle by grades as graded by the applicant's own graders, if the applicant has an exemption to grade his own beef, at the following separate grade rates, but the total amount of the claim shall not exceed the total number of pounds, live weight, (less condemnations) of cattle slaughtered, multiplied by one and three-tenths cents (\$0.013) a pound.

	<i>Cents a pound</i>
AA or choice	2.0
A or good	1.95
B, commercial or medium	0.9
C, utility or common	0.5
D, or cutter and canner	0.5
Bulls of cutter and canner grade	0.5

(f) *Extra compensation.* Defense Supplies Corporation will make payment on approved claims for extra compensation at the rate of eight-tenths of one cent (\$0.008) a pound.

§ 7003.6 *Amount of payment*—(a)

Base of payment. (1) No payments will be made on the live weight equivalent of the applicant's production of condemned meat. The applicant shall reduce the live weight of his livestock slaughter by the actual or equivalent live weight of the livestock which produced the condemned meat, and reduce the dressed weight of beef reported by grades by the actual or equivalent dressed weight of the condemned carcasses.

(2) If beef is reported by grades, payment will be made at the separate grade rates on the total amount of actual live weight of cattle slaughtered in all grades, distributed among the grades in the same proportion as the calculated live weight in each grade. The calculated live weight in each grade shall be that computed in accordance with § 7003.8 (b).

(b) *Deductions.* Deductions will be made from all claims of an applicant on account of under or over-payment for cattle in accordance with § 7003.8 of this regulation.

(c) *Maximum base of payment.* Payments will not be made on claims covering accounting periods beginning on and after February 20, 1945, on a greater live weight of any class or species of livestock slaughtered by an applicant in any one non-federally inspected establishment than a specified percentage of the total live weight of such class or species of livestock for which the applicant filed subsidy claims with Defense Supplies Corporation covering slaughter in that establishment in the corresponding accounting period of 1944: *Provided*, That on certification to Defense Supplies Corporation by the War Food Administrator that the applicant is entitled to payment on a greater live weight of any class or species of livestock, he will become entitled to payment on the live weight of his slaughter up to the specified percentage of the live weight certified to Defense Supplies Corporation by the War Food Administrator. Such percentages will be determined and announced from time to time.

NOTE: Paragraph (c) was added by Amendment 1, effective Feb. 10, 1945.

(d) *Additions.* An additional payment will be made on claims reporting cost of cattle in accordance with § 7003.7 (c) of one-half ($\frac{1}{2}$) of the dollar amount by which the total cost of cattle

on the claim exceeds the basic cost (as hereinafter defined), but such additional payments shall not exceed on any claim one-half ($\frac{1}{2}$) of the difference between the basic cost and the maximum permissible cost: *Provided*, That no additional payments will be made under this section on claims filed by applicants whose claim for the same period for extra compensation under § 7003.2 (b) above is approved by Defense Supplies Corporation. For the purposes of this section, the basic cost shall be an amount computed by adding to the minimum permissible cost thirty-three and one-third percent ($33\frac{1}{3}\%$) of the difference between the minimum and maximum permissible costs. No additional payments will be made under this section on claims for cattle which do not report cost of cattle and which are filed under § 7003.7 (d) or (e).

NOTE: Paragraph (d) was added by Revised Amendment 2, effective Apr. 1, 1945.

§ 7003.7 *Special provisions applicable to reporting cattle slaughter*—(a) *Reporting by grades.* Any applicant who has his beef graded by an official grader of the United States Department of Agriculture or who has applied for such grading and been granted an exemption to grade his own beef may report his cattle by grades.

(1) Every applicant who reports his beef by grades must report his cost of cattle (except as provided in (d) of this section) and his payment will be computed at the rates in § 7003.5 (d) or (e), whichever is applicable.

(2) Any applicant who slaughters 50,000 pounds or more, live weight, of bovine animals in all his establishments (including bovine animals custom killed for him) in any one accounting period after January 1945, must report his cattle slaughter during such accounting period by grades unless he is not required by the Office of Price Administration or the War Food Administration to grade his beef.

(3) Any applicant who is required to report his cost of cattle and who is not required by the Office of Price Administration or the War Food Administration to grade his beef, may by special permission of Defense Supplies Corporation report his beef without grades. Such an applicant shall compute his cost of cattle in accordance with § 7003.8 (c) (1) and will be paid at the rates provided in § 7003.5 (c).

(4) An applicant who reports his beef by grades must report the dressed carcass weight adjusted to chilled weight after twenty-four hours in the cooler, less allowance for washing, shrouding, and other factors which would distort the percentage of the total weight represented by each of the various grades, or result in either overstating or understating the actual dressed carcass chilled weights.

(b) *Who must report cost of cattle.* Every applicant must report his cost of cattle on his claim covering cattle slaughter if:

(1) He files a claim reporting beef by grades (except as provided in (d) of this section); or

(2) He slaughters a total of 50,000 pounds or more, live weight, of bovine animals in all his establishments (including bovine animals custom killed for him) in the accounting period covered by his claim.

(c) *Claims reporting cost of cattle.* Every claim reporting cost of cattle must include all of the cattle slaughtered during the accounting period in the establishment covered by the claim except:

(1) Such claims shall not include any cattle slaughtered which were not purchased and delivered to the applicant within thirty (30) days of slaughter.

(2) Such claims shall not include cattle slaughtered which were purchased by the applicant from a member of a 4-H Club, Future Farmers of America, or other recognized farm youth organizations, if such sales are made at the place and time of a fair, show or exhibition.

(d) *Separate claim for self-feeder and show cattle.* (1) Any applicant may file separate claims for cattle slaughtered which are excluded from his claim under paragraphs (c) (1) and (2) of this section. Such separate claims shall report the slaughter by grades; shall not include a report of the cost of such cattle; shall be filed with the claim covering other cattle slaughtered in the same establishment during the same period; and, in the case of cattle excluded under paragraph (c) (2) of this section, shall be accompanied by a written statement approving such sale, signed by a county agricultural agent, a county club agent, a vocational agricultural instructor, or the chief administrator of the state department of agriculture.

(2) If records are not available to make complete separate reports of the cattle slaughtered, for cattle purchased for slaughter within thirty (30) days and for cattle which were not purchased by the applicant within thirty (30) days of slaughter, Defense Supplies Corporation shall have the right to require reports and claims in such form as will supply information as to the applicant's cost of cattle.

(e) *Small slaughterers.* Any applicant who slaughters less than 50,000 pounds, live weight, of bovine animals in an accounting period may file claims for cattle slaughtered during such period which do not include the cost of cattle. Payments will be made on such approved basic claims at the rates in § 7003.5 (b), and no deductions will be made from such claims on account of under or overpayment for cattle.

Any such applicant may elect to report his beef by grades during any accounting period if his beef is graded by an official grader of the United States Department of Agriculture or if he has a written exemption to grade his own beef. If he so elects, he must report his cost of cattle and deductions will be made for under or overpayment for cattle in accordance with § 7003.8; payments on such claims will be at the rates in § 7003.5 (d) or (e), whichever is applicable.

§ 7003.8 *Deductions on account of cost of cattle.* Defense Supplies Corporation will deduct from any payments accrued to an applicant the amount by which the total of the cost to such ap-

plicant of live cattle slaughtered on and after January 29, 1945, during each accounting period either (1) is below the total cost he would have had at the lower of the applicable established prices, or (2) exceeds the total cost he would have had at the higher of the applicable established prices. Such deductions shall be computed as follows:

(a) *Cost of cattle.* The cost of cattle shall be the cost of cattle slaughtered during the period covered by the claim, which were purchased within thirty (30) days of slaughter. The total cost of such cattle shall include charges for transportation to the applicant's establishment, including charges for feeding, watering, and bedding en route, but shall not include commissions or other service charges, or any allowance for shrinkage: *Provided*, That there may be deducted from the cost of cattle purchased in any one market during an accounting period, and slaughtered in any establishment east of a line following the eastern side of Lake Michigan, the eastern boundary of Indiana, and the Ohio and Mississippi Rivers to the Gulf of Mexico, an amount equal to 80% of the actual cost of railroad freight paid on such cattle from that market to the applicant's establishment, not to exceed 45¢ a live hundred-weight from any one market.

(b) *Calculated live weight slaughtered in each grade.* The amount of live weight in each grade shall be calculated by dividing the amount of dressed weight in each grade produced from cattle slaughtered in an establishment during an accounting period, by the conversion factors (yields or dressing percentages) certified by the Office of Price Administration and War Food Administration to Defense Supplies Corporation as applicable to the zone or market in which the establishment is located.

(c) *Permissible cost.* The calculated live weight in each grade shall be multiplied by the lower price and by the higher price of established prices applicable to the grade and the establishment and the resulting amounts for each grade shall be totaled to give total minimum and maximum permissible cost: *Provided*, That:

(1) On applications filed by applicants required to report cost of cattle, which report cattle as ungraded under § 7003.7 (a) (3) the total minimum permissible cost shall be computed by multiplying the total live weight of cattle by the lower price of the established prices for cutter and canner grade applicable to that establishment, and the total maximum permissible cost shall be computed by multiplying the total live weight of cattle by the higher price of the established prices for bulls of cutter and canner grade applicable to that establishment; and

(2) The established prices applicable during an accounting period shall be the established prices certified to Defense Supplies Corporation and published in The Federal Register prior to the beginning of such accounting period, or, at the option of the applicant, the prices so certified and published after ten (10) days prior to the beginning of such accounting period and before the end of such accounting period.

(d) If the actual cost of cattle is above the minimum and below the maximum permissible costs, no deductions will be made from the claim on account of cost of cattle.

If the actual cost of cattle is below the minimum, or above the maximum permissible cost, the amount it is below the minimum or above the maximum shall be deducted from the amount of the claim. If the deduction is greater than the amount of the claim, the amount it is greater than the amount of the claim may be deducted from any other claim or claims payable to the applicant.

§ 7003.9 *Terms of payment*—(a) *Partial payment.* A claim may be paid in whole or in part.

(b) *Persons to whom payments are to be made.* Payments will be made only to the person who files the claim with Defense Supplies Corporation. No claim filed pursuant to this regulation shall be assignable except as a part of a bona fide transfer of the applicant's business to a legal successor.

(c) *Frequency.* Payments will be made monthly upon preliminary approval of the claim.

(d) *Terms.* Preliminary approval and payment of claims shall not constitute final acceptance of the validity or amount of the claim. On a finding that the claim is invalid or defective, Defense Supplies Corporation shall have the right to require restitution of any payment or any part thereof. Any sums found to be due to Defense Supplies Corporation shall be deductible against any accrued or subsequent claim for any payment by Defense Supplies Corporation to the person.

§ 7003.10 *Right to declare claims invalid*—(a) *Compliance with other regulations.* Defense Supplies Corporation shall have the right to declare invalid, in whole or in part, any claim which does not meet the requirements of this regulation, and any claim filed by an applicant who, in the judgment of the War Food Administrator or the Price Administrator, has wilfully violated any regulation of their respective agencies applicable to the purchase or sale of livestock or to livestock slaughter or to the sale or distribution of meat.

Defense Supplies Corporation shall, upon the request of the Price Administrator, declare invalid, in whole or in part, claims for the additional subsidy provided for in § 7003.6 (d) hereof filed by an applicant who, in the judgment of the Price Administrator, should not receive all or any part of such additional subsidy because the total of the prices paid by such applicant for cattle slaughtered during the accounting period covered by the claims exceeded the maximum permissible cost.

NOTE: Undesignated paragraph added by Revised Amendment 2, effective Apr. 1, 1945.

(b) *Payments to producers of livestock.* Defense Supplies Corporation shall have the right to declare invalid, in whole or in part, any claim of any applicant who fails to pass on to persons from whom he purchases livestock the benefits secured from payments under this regulation.

§ 7003.11 *Right to modify or revise claims.* Upon announcement of any decision or interpretation issued hereunder any applicant may within thirty (30) days apply to Defense Supplies Corporation for the right to modify or revise any claims theretofore filed which are affected by such decision or interpretation and which accrued within the period of ninety (90) days immediately preceding the first of the month following the date when the decision or interpretation was announced. If Defense Supplies Corporation finds justification for reopening the claim it shall so notify the applicant and the latter may thereupon submit a new claim which shall be processed in the same manner as though submitted within the required time.

§ 7003.12 *Termination.* This regulation may be terminated or amended at any time after ten (10) days notice. Such termination shall not preclude the filing of claims on account of livestock slaughtered on or before the date of termination for which the applicant would otherwise have been eligible. Such claims must be filed within thirty (30) days after the date of termination.

Effective date. This Regulation No. 3, revised, shall become effective as of January 19, 1945. It supersedes, as to any slaughter on or after January 29, 1945, Regulation No. 3 of Defense Supplies Corporation which was effective June 7, 1943, Amendment No. 2 to Regulation No. 3 of Defense Supplies Corporation which was effective November 30, 1943, and Amendments No. 3 and No. 4 to Regulation No. 3 of Defense Supplies Corporation which were effective December 18, 1943. Such Regulation No. 3 and its amendments are terminated as of January 29, 1945, in accordance with section 12 thereof.

(Sec. 5d, Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 U.S.C. 606b; Defense Supplies Corporation Charter, 6 F.R. 2972)

DEFENSE SUPPLIES CORPORATION,
STUART K. BARNES,
Vice President.

[F. R. Doc. 45-6169; Filed, Apr. 17, 1945;
4:41 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders

[Public Land Order 272]

ALASKA

REDUCING THE WITHDRAWAL MADE BY EXECUTIVE ORDER 6957 OF FEBRUARY 4, 1935

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910, c. 421, 36 Stat. 847 (U.S.C., title 43, sec. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 6957 of February 4, 1935, temporarily withdrawing certain public lands in Alaska and reserving them for classification, is hereby re-

voked as to the following-described lands:

SEWARD MERIDIAN

T. 17 N., R. 1 W.,
Sec. 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 2, NW $\frac{1}{4}$;
Sec. 12, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 13, W $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 15, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$;
Secs. 21 and 22;
Sec. 23, N $\frac{1}{2}$ S $\frac{1}{2}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 18 N., R. 1 W.,
Sec. 24, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 25, lots 1, 2, 3, 4, 5, 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 26;
Sec. 34, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
Sec. 35, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 36.

The areas described aggregate 6,434.65 acres of public land.

This order shall not otherwise become effective to change the status of these lands until 10:00 a. m. on the 63d day from the date on which it is signed. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the vacant and unreserved lands affected by this order shall be subject to (1) application under the homestead laws, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (Public Law 434—78th Congress), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a. m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unreserved and unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which should be filed in the district land office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1944, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 65 and 66 of Title 43 of the Code of Federal Regulations.

HAROLD L. ICKES,
Secretary of the Interior.

APRIL 11, 1945.

[F. R. Doc. 45-6227; Filed, Apr. 18, 1945;
4:46 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 15—RULES AND REGULATIONS GOVERNING ALL RADIO STATIONS IN THE WAR EMERGENCY RADIO SERVICE

EXPANSION OF USE OF CIVILIAN DEFENSE STATIONS IN WAR EMERGENCY RADIO SERVICE

1. The Commission on April 10, 1945, effective immediately, amended § 15.1 *War emergency radio service* and § 15.2 *Civilian defense stations* to read:

§ 15.1 *War emergency radio service.* The term "war emergency radio service" means a temporary radio communication service intended solely for emergency communication with the national defense and security or conditions jeopardizing public safety.

§ 15.2 *Civilian defense stations.* The term "civilian defense station" means a station operated by a municipal government for emergency communication relating directly to the activities of the United States Citizens' Defense Corps¹ or other equivalent officially recognized organization, or relating directly to governmental activities to alleviate or prevent any emergency which jeopardizes or may jeopardize public safety.

2. Adopted new § 15.12 *Applications for authority to transmit communications in cooperation with the United States Weather Bureau*, which reads:

§ 15.12 *Applications for authority to transmit communications in cooperation with the United States Weather*

¹ The United States Citizens' Defense Corps is an organization of enrolled civilian volunteers established with the Office of Civilian Defense to implement the passive defense.

Bureau.²⁴ The licensee of any war emergency radio service radio station desiring to transmit communications relating to flood forecasting and storm warnings in cooperation with the United States Weather Bureau (in accordance with § 15.56 (b)) shall make specific notarized request, in duplicate, for authority to render such service. Applications for such authority shall state which unit or units of the station have been designated for the proposed service.

3. Amended paragraph (a) of § 15.25 *Frequency stability* to read:

§ 15.25 *Frequency stability.* (a) Transmitting equipment used in the war emergency radio service must be capable of maintaining the operating carrier frequency (without readjustments during operation) within the limits set forth in the following table:

Operating frequencies within the bands (kilocycles):	Maximum deviation band width
112000-113000	0.1 of 1 percent
113000-116000	0.3 of 1 percent
224000-227000	0.1 of 1 percent
227000-230000	0.3 of 1 percent
400000-401000	0.2 of 1 percent

4. Renumbered § 15.56 *Service for U. S. Government* paragraph (a) and adopted new paragraph (b) thereof, which reads:

(b) Any station unit licensed in the war emergency radio service, designated by the licensee in accordance with written request of the United States Weather Bureau and approval of the radio aide or communication officer, may be authorized by the Commission (1) to transmit to similarly designated units of the same or other licensees, and to designated radio receivers, communications essential to flood forecasting and storm warnings as requested and directed by official representatives of the United States Weather Bureau and (2) to participate, upon request of official representatives of the United States Weather Bureau, in such drills as are required for proper maintenance of the communication system.

5. Amended paragraph (a) of § 15.63 *Service which may be rendered* to read:

§ 15.63 *Service which may be rendered*—(a) Except as otherwise provided in these rules, civilian defense stations may be used only during emergencies endangering life, public safety, or important property, for essential communications relating to civilian defense, national security, or public safety. Civilian defense station licensees, when requested in specific instances by the licensee of any State guard station or the licensee of any civil air patrol station, may use their licensed civilian defense stations for essential communication with such State guard or civil air patrol station(s) during emergencies endangering life, public safety, or important property. Civilian defense stations shall not be operated on board any aircraft unless specific authority for such operation has been granted by the

²⁴ To facilitate consideration of applications for such authorizations they should be forwarded first to United States Weather Bureau, Washington, D. C., which in turn will submit them to the Commission.

Commission upon showing of need therefor.

6. Amended § 15.76 *Drills* to read:

§ 15.76 *Drills.* Licensees of civilian defense stations may conduct drills during practice alerts, practice blackouts, practice mobilizations or other comparable situations as may be requested by (a) the proper military authority, (b) a governmental agency having responsibility relative to preventing or alleviating an emergency affecting public safety, or (c) local civilian defense authority: *Provided*, That a notice, by mail, of such operations is sent within 24 hours after the drill to the inspector in charge of the radio district in which the stations are located, and a copy to the Federal Communications Commission in Washington, D. C.

(Sec. 4 (i), 46 Stat. 1068, sec. 303, 48 Stat. 1082, sec. 606, 48 Stat. 1104; 47 U.S.C. 154 (i), 303, 606; E.O. 8964 (12-10-41))

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-6229; Filed, Apr. 19, 1945;
10:03 a. m.]

in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-6233; Filed, Apr. 19, 1945;
11:16 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1945 Dept. Circ. 766]

1/2 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES D-1946

OFFERING OF CERTIFICATES

APRIL 19, 1945.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated $\frac{1}{2}$ percent Treasury Certificates of Indebtedness of Series D-1946, in exchange for Treasury Certificates of Indebtedness of Series D-1945, maturing May 1, 1945.

II. *Description of certificates.* 1. The certificates will be dated May 1, 1945, and will bear interest from that date at the rate of $\frac{1}{2}$ percent per annum, payable semiannually on November 1, 1945, and May 1, 1946. They will mature May 1, 1946, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or

FEDERAL REGISTER, Friday, April 20, 1945

all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before May 1, 1945, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series D-1945, maturing May 1, 1945, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 45-6230; Filed, Apr. 19, 1945;
10:59 a.m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6755]

HEARST RADIO, INC. AND CROSLEY CORP.

NOTICE OF HEARING

In re: Application of Hearst Radio, Inc. (Assignor), (WINS), The Crosley Corp. (Assignee), New York, N. Y.; date filed March 9, 1945, for voluntary assignment of license and construction permit; class of service, Broadcast; class of station, Broadcast; location, New York, N. Y.; operating assignment specified: Frequency, 1010 kc; Power, 10 kw; (under C. P.) 50 kw; Hours of operation, unlimited; D. A., day & night; File No. B1-APL-19.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To determine the value of the physical assets of Station WINS.
2. To determine the going-concern value or goodwill of Station WINS.
3. To obtain full information concerning the various elements that entered into a determination of the purchase price for Station WINS.
4. To determine whether any consideration is being paid for the frequency.
5. To determine what portion of the consideration is attributable to assignor's outstanding construction permit to operate with 50 kilowatts power.
6. To obtain full information concerning the purpose of assignor, as repre-

sented in its application, to accumulate additional capital for future expansion of FM and television.

7. To determine whether the sale of Station WINS, when viewed in the light of other applications pending and other transfers and assignments of stations to and from the assignor or persons under common control with the assignor, constitutes trafficking in licenses.

8. To determine whether the purchase price proposed to be paid by assignee for Station WINS will adversely affect its ability to operate in the public interest.

9. To determine whether the contract entered into by the assignor and assignee whereby assignee makes available to assignor time over WINS over a ten-year period in the minimum amount of \$400,000 would be consistent with assignee's obligation under the Communications Act to operate its station in the public interest and within the terms of a legal grant by the Commission.

10. To determine whether the contract entered into by the assignor and assignee, whereby assignee agrees that if it undertakes to sell Station WINS within ten years from the date of the contract to give assignor first opportunity to purchase the station at the best purchase price available elsewhere, is in the public interest.

11. To obtain full information concerning assignee's proposal to broadcast the same programs over Stations WLW in Cincinnati and WINS in New York.

12. To obtain full information concerning the type of program service which assignee proposes to render.

13. To obtain full information concerning other proposals made to assignor for the transfer of Station WINS.

14. To determine what effect a grant of the application would have upon competition in chain broadcasting and in other broadcast service.

15. To determine whether, in the light of the evidence adduced on the foregoing issues, public interest would be served by approval of the assignment of license of Station WINS.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicants' addresses are as follows:

Hearst Radio, Inc., Radio Station WINS, 25 West 43 Street, New York 18, N. Y.
The Crosley Corporation, 140 W. 9th Street, Cincinnati 2, Ohio.

Dated at Washington, D. C., April 12, 1945.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-6228; Filed, Apr. 19, 1945;
10:08 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 40 Under 3 (e)]

SYSTEM SERVICE CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) The maximum prices for sales of certain typewriter accessories manufactured by System Service Company, Paterson, New Jersey, shall be as follows (all prices 1% 10 days, net 30 days):

	Catalogue No.	At retail
Type cleaner, 3-oz. bottle	145	\$0.70
Platen renewer, 3-oz. bottle	45	.70
Secretary's kit	345	1.50

Maximum prices for sales other than at retail shall be the maximum prices listed above subject to the following discounts:

To dealers, f. o. b. shipping point:

1 to 5 dozen—40%
6 to 11 dozen—40% and 10%
12 dozen or more—50%

To department stores: Same as to dealers except freight allowed

To jobbers, f. o. b. shipping point—60%

To distributors, freight allowed—60%

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodities to a jobber or distributor, the manufacturer shall furnish such jobber or distributor with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been approved by the Office of Price Administration.

(d) Prior to making any delivery of any of the aforesaid commodities after the effective date of this order, the manufacturer shall mark or cause to be marked on each package whichever of the following legends is applicable:

Type cleaner, 3-oz. bottle—"Maximum retail price 70¢"
Platen renewer, 3-oz. bottle—"Maximum retail price 70¢"
Secretary's Kit—"Maximum retail price \$1.50"

This order shall become effective April 19, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6212; Filed, Apr. 18, 1945;
11:32 a. m.]

[RMPR 136, Order 428]

CHRYSLER CORP.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 428 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Chrysler Corporation. Docket No. 6083-136.25a-113.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised

Maximum Price Regulation 136, *It is ordered:*

(a) The maximum prices for sales of the models of Ace, Crown and Royal marine engines listed below by Chrysler Corporation, Detroit, Michigan, shall be the following prices subject to the same discounts, allowances, charges and terms for delivery duly established for the same class of purchaser just prior to the issuance of this order.

Gear ratio	Standard rotation	Opposite rotation
Ace Marine Engine		
Reverse	\$432	\$432
1.43-1	505	505
1.95-1	515	515
2.56-1	520	520
3.46-1	530	530
4.9-1	591	591
Crown Marine Engine		
Reverse	\$462	\$462
1.43-1	522	522
1.95-1	532	532
2.56-1	547	547
3.46-1	554	554
4.9-1	595	595
Royal Marine Engine		
Reverse	\$647	\$647
1.43-1	720	720
2.03-1	730	730
2.51-1	735	735
3.17-1	745	745
4.48-1	806	806

(b) The maximum prices for sales of the engines listed in paragraph (a) of this order by resellers shall be determined as follows: The reseller shall increase or decrease the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order by the dollars-and-cents amount by which the resellers' net invoiced cost has been increased or decreased by reason of this order.

(c) On or before October 15, 1945, Chrysler Corporation shall file the following information with the Office of Price Administration, Washington 25, D. C.:

(1) The unit volume of sales for each engine listed in paragraph (a) for the period January 1, 1945, to July 1, 1945, inclusive.

(2) Unit cost figures as of July 1, 1945, for each engine listed in paragraph (a).

(3) If the overhead ratio used in computing these unit costs is greater than the ratio in effect on October 1, 1941, an explanation of this increase shall be included in the report.

(d) The Chrysler Corporation shall notify each person who buys Ace, Crown and Royal marine engines for resale of the amount, in dollars-and-cents, by which this order permits the reseller to increase his maximum prices, and the amount, in dollars-and-cents, by which this order requires the reseller to decrease his maximum prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 19, 1945.

Issued this 18th day of April 1945.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6203; Filed, Apr. 18, 1945;
11:29 a. m.]

Discounts in effect prior to the issuance of this order need not be maintained.

(b) The orders, issued by the Regional Administrator of the New York Regional Office of the Office of Price Administration, and dated October 21, 1943, March 14, 1944 and November 13, 1944, denying the application of the Bacu Ice Company, Inc., Poughkeepsie, New York, for adjustment of its maximum prices for ice as established under Maximum Price Regulation 154, as amended, are hereby revoked.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective April 9, 1945.

Issued this 18th day of April 1945.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6201; Filed, Apr. 18, 1945;
11:28 a. m.]

[MPR 188, Order 3648]

HI-LOR MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) The Bacu Ice Company, Inc., the Bacu Ice and Fuel Company, the Morgan Ice and Fuel Company, the Wilbur Estate and all dealers buying artificial ice from the above named manufacturers may sell and deliver artificial ice in Poughkeepsie, New York and its normal trade territory by the classifications and at prices no higher than the following:

DELIVERED SALES—DOMESTIC

Pounds:	Cuts	Crushed
300	\$1.50	\$1.60
100	.55	.60
50	.28	.30
25	.14	.15

DELIVERED SALES—DOMESTIC OR COMMERCIAL TO SUMMER CAMPS MORE THAN FIVE MILES FROM POINT OF LOADING

Pounds:	Cuts	Crushed
300	\$1.80	\$1.90
100	.65	.70
50	.33	.36
25	.17	.18

COMMERCIAL SALES DELIVERED

Pounds:	Cuts	Crushed
300	\$1.35	\$1.45
100	.48	.52
50	.24	.26
25	.12	.14

Ton lot sales in blocks to ultimate consumers, \$6 per ton.

Ton lot sales crushed to ultimate consumers, \$7 per ton.

PLATFORM OR DOCK AND MECHANICAL VENDORS—RETAIL

Pounds:	Cuts	Crushed
300	\$1.15	\$1.25
100	.40	.43
50	.20	.22
25	.10	.11

Ton lot sales in blocks to ultimate consumers, \$5 per ton.

Ton lot sales crushed to ultimate consumers, \$6 per ton.

Platform or dock sales; wholesale. Sales to dealers and peddlers who purchase for resale in quantities of five or more blocks at one time, 55¢ per block of 300 pounds or \$3.66 per ton. Sales to dealers and peddlers who purchase for resale ice in any quantity in crushed form, 20¢ per 100 pounds or \$4 per ton. Sales to milk dealers who purchase in quantities of five or more blocks at one time, 55¢ per block of 300 pounds in block or in crushed form, 20¢ per 100 pounds or \$4 per ton.

Cubed ice. All sales of ice in cubes, 1¢ per pound either delivered or at the platform.

Maximum prices for sales by sellers other than manufacturers to—

Article	Model No.	Retailers	
		Wholesalers	Less than 6 lot
Humidifier	600	Each \$27.23	Each \$32.18

Article	Model No.	Retailers	
		6 lot	Less than 6 lot
Humidifier	600	Each \$32.18	Each \$34.66

Maximum prices for sales by manufacturers to—

Article	Model No.	User	
		6 lot	Less than 6 lot
Humidifier	600	Each \$32.18	Each \$34.66

These maximum prices are for the articles described in the manufacturer's application dated February 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10

days, net 30 days. These prices include Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model #600 OPA Retail Ceiling Price, \$51.98
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of April 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6205; Filed, Apr. 18, 1945;
11:29 a. m.]

[MPR 188, Order 3649]

S. S. MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The S. S. Manufacturing Company, of 1049 Chelsea Avenue, Memphis, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES OF COMBINATION
RAKE AND FORK, MODEL NO. 1

By manufacturer to—	Per dozen
Wholesalers (stocking jobbers)	\$2.70
Drop shipping jobbers	2.87
Retailers	3.60
By sellers other than manufacturer to—	
Drop shipping jobbers	2.87
Retailers	3.60
Consumers	\$0.45

These maximum prices are for the articles described in the manufacturer's application dated March 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.45
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of April 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6206; Filed, Apr. 18, 1945;
11:29 a. m.]

[MPR 188, Order 3650]

HARVEY AVEDON

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Harvey Avedon, 159 East 33rd Street, New York 16, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Whole- salers	Retail- ers	Con- sumers
Cigarette lighter (Sterling)	#1	Each \$7.25	Each \$9.67	Each \$16.12

These maximum prices are for the articles described in the manufacturer's application dated February 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$16.12 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of April 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6207; Filed, Apr. 18, 1945;
11:30 a. m.]

[MPR 188, Order 3651]

NEWARK CHAIR & FURNITURE CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain

articles of furniture manufactured by Newark Chair & Furniture Company, Inc., 12 Nuttman Street, Newark, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock.	Manufacturer's maximum price to persons, other than manufacturer's stock.	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock.
Chair.	2010	Each \$4.54	Each \$4.82	Each \$5.67
	2015	4.00	4.25	5.00
	2018	5.60	5.95	7.00
Table.	3112	17.11	18.18	21.39
	3113	15.40	16.36	19.25
	3114	16.00	17.00	20.00
	3115	14.60	15.51	18.25

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated February 9, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 19th day of April 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6208; Filed, Apr. 18, 1945;
11:31 a. m.]

[MPR 188, Order 3652]

LASKO METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and

filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Lasko Metal Products Company, 436 West Gay Street, West Chester, Pennsylvania.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—1 HEAT, 2 BURNER HOT PLATE
MODEL NO. 32R

Maximum prices for sales by manufacturer to—

Wholesaler—\$2.78
Retailer (in units of 6 or more)---3.02

Retailer (in units of less than 6)---3.28

Maximum prices for sales by sellers other than the manufacturer to—

Retailer (in units of 6 or more)---3.02

Retailer (in units of less than 6)---3.28

Consumer---5.30

These maximum prices are for the articles described in the manufacturer's application dated January 26, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No. 32R
OPA Retail Ceiling Price, \$5.20
Do Not Detach

This price includes Federal Excise Tax.

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of April 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6209; Filed, Apr. 18, 1945;
11:31 a. m.]

[MPR 188, Order 3653]

LASKO METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Lasko Metal Products Company, 436 West Gay Street, West Chester, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

	Reflector bowl heaters	
	600-watt #5A	1,000-watt #5B
Maximum prices for sales by manufacturer to—		
Wholesaler—	Each \$1.71	Each \$2.42
Retailer (in units of 6 or more)---	2.30	3.03
Retailer (in less than 6 units)---	2.47	3.40
Maximum prices for sales by sellers other than the manufacturer to—		
Retailer (in units of 6 or more)---	2.30	3.03
Retailer (in less than 6 units)---	2.47	3.40
Consumer---	3.76	4.78

These maximum prices are for the articles described in the manufacturer's application dated January 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price-----

Do Not Detach

This price includes Federal Excise Tax

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of April 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6210; Filed, Apr. 18, 1945;
11:31 a. m.]

[MPR 188, Order 3654]

LASKO METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Lasko Metal Products Company, 456 West Gay Street, West Chester, Pennsylvania.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE—1 HEAT, 1 BURNER HOT PLATE, NO. 32M

Maximum prices for sales by manufacturer to—

	Each
Wholesaler	\$1.17
Retailer (in units of 6 or more)	1.52
Retailer (in less than 6 units)	1.63
Maximum prices for sales by sellers other than manufacturer to—	
Retailer (in units of 6 or more)	1.52
Retailer (in less than 6 units)	1.63
Consumer	2.45

These maximum prices are for the articles described in the manufacturer's application dated January 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. They include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment

of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No. 32M
OPA Retail Ceiling Price, \$2.45
Do Not Detach

This price includes Federal Excise Tax

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 19th day of April 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6211; Filed, Apr. 18, 1945;
11:30 a. m.]

[MPR 260, Order 744]

ISADOR HAFLICH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Isador Haflich, 106 S. 9th Street, Akron, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Max- imum list price	Max- imum retail price
Park City	Bouquets...	50	Per M \$2.50	Cents 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a whole-

saler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 19, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6204; Filed, Apr. 18, 1945;
11:29 a. m.]

[Order 42 Under 3 (e)]

ARTHUR LEE CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered*:

(a) The maximum prices f. o. b. seller's shipping point for sales of Ray-Nu, a compound for the treatment of rayon stockings, manufactured by Arthur Lee Company, Los Angeles, California, shall be as follows:

To wholesale distributors, \$3.25 per dozen 4 oz. bottles.
To retailers, \$4.18 per dozen 4 oz. bottles.
To consumers, \$0.60 per 4 oz. bottle.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a wholesale distributor, the manufacturer shall furnish such wholesale distributor with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of Ray-Nu, after the effective date of this order, the manufacturer shall mark or cause to be marked on each 4 oz. bottle or the package containing same substantially the following legend:

Maximum Retail Price—\$0.60

This order shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6241; Filed, Apr. 19, 1945;
11:32 a. m.]

[Order 43 Under 3 (e)]

WINDSOR PRODUCTS CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith; *It is ordered:*

(a) The maximum prices f. o. b. seller's shipping point for sales of Raylon, a compound for the treatment of rayon stockings, manufactured by Windsor Products Company, Des Moines, Iowa, shall be as follows:

To wholesale distributors, \$3.25 per dozen 4 oz. bottles.

To retailers, \$4.18 per dozen 4 oz. bottles.
To consumers, \$0.60 per 4 oz. bottle.

(b) No extra charge may be made for containers.

(c) With or prior to the first delivery of the aforesaid commodity to a wholesale distributor, the manufacturer shall furnish such wholesale distributor with a written notice containing the schedule of maximum prices set out in paragraph (a) above and a statement that they have been established by the Office of Price Administration.

(d) Prior to making any delivery of Raylon, after the effective date of this order, the manufacturer shall mark or cause to be marked on each 4 oz. bottle or the package containing same substantially the following legend:

Maximum Retail Price—\$0.60

This order shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6242; Filed, Apr. 19, 1945;
11:32 a. m.]

[RMPR 136, Order 429]

MARKS PRODUCTS CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 429 under Revised Maximum Price Regulation 136. Machines, parts, and industrial services. Marks Products Company, Inc.; Docket No. 6083-136.25a-121.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136 and

Order No. L-11 under Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices of Marks Products Company, Inc., 84-90 North 9th Street, Brooklyn, New York, for its sales of the following wiring devices to its various classes of purchasers designated below shall be as follows:

	Maximum price per unit		
	Jobber	Large chain	Smaller chain
Catalog No. 2100: Snapit Nite-Lite	\$0.18	\$0.19	\$0.20
Catalog No. 70: 3-in-line plug in tap	.12	.12	.1265
Catalog No. 1584: 3-in-line table tap	.12	.12	.1265
Catalog No. 1585: 3-in-line convenience outlet	.12	.12	.1265
Catalog No. 105: Combination duplex receptacle and plate	.11	.12	.1265
Catalog No. 60: Cube tap	.06	.06	.0635
Catalog No. 67: Service block	.06	.06	.0635

(b) The maximum prices of the wholesale sellers, or jobbers, for their sales of the wiring devices enumerated in paragraph (a) of this order shall be determined as follows: Such wholesale sellers shall add \$0.01 per unit to their maximum prices in effect just prior to January 16, 1945, for the items Catalog No. 60—Cube Tap, and Catalog No. 67—Service Block, and \$0.02 per unit to their maximum prices in effect just prior to the issuance of this order for the remaining items designated in paragraph (a) of this order.

(c) This order does not authorize any other resellers of the wiring devices designated in paragraph (a) hereof to increase the maximum prices which they had duly in effect for these wiring devices prior to January 16, 1945. This order does not authorize any increase in retail prices for the subject wiring devices.

(d) (1) Marks Products Company shall give written notice to its customers who purchase the subject wiring devices of the provisions of paragraphs (b), (c) and (d) (2) of this order. Such notice may be in the following form, or in any words containing the substance of that form, and may be adapted for statement in Marks Products Company's price lists.

OPA Order No. 429 Under Revised Maximum Price Regulation 136 authorizes purchasers direct from Marks Products Company to add 1 cent per unit (or 2 cents per unit) to their maximum prices in effect before January 16, 1945, for resale of _____ (insert description of item); upon resale, you are required to notify your purchaser that he may not increase the maximum price he had in effect before January 16, 1945, whether for retail or other resale.

(2) The jobbers or wholesale resellers described in paragraph (b) shall notify their customers who resell the subject wiring devices that this order does not authorize such customers to increase the maximum prices which such customers had duly in effect for resale of the subject wiring devices prior to January 16, 1945, whether at retail sale, or otherwise.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6243; Filed, Apr. 19, 1945;
11:33 a. m.]

[RMPR 136, Order 430]

AMERICAN IRON AND MACHINE WORKS CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 430 Under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. American Iron and Machine Works Company; Docket No. 6083-136.25a-216.

For the reasons stated in an opinion issued simultaneously herewith and filed with the Division of Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The maximum price of American Iron and Machine Works Company, Oklahoma City, Oklahoma, for its sales of the American Slush Pump Seat Puller which it manufactures shall be determined by applying the discounts, allowances and terms of sale which it had in effect on October 1, 1941, to a list price of \$61.40.

(b) The maximum price of a reseller of any American Slush Pump Seat Puller to any class of his purchasers shall be determined by adding the dollar and cent amount of the increased cost resulting to such reseller by reason of the adjustment provided in paragraph (a) hereof, to the maximum price which such reseller had in effect to such class of purchasers just prior to the issuance of this order.

(c) The American Iron and Machine Works Company shall give written notice to its customers who purchase the subject Seat Puller of the dollar and cent amount of the increase in price resulting from this order. A copy of each such notice shall be filed with the Office of Price Administration, Washington 25, D. C., within 30 days after the effective date of this order or within five days after such notice has been given to any purchaser. Where similar notices are given to more than one person the Company may file a single copy of such notification together with the names of the persons to whom it was given.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6244; Filed, Apr. 19, 1945;
11:33 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375,

391a, 404, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

FIRE-RESISTIVE SUBSTANCE FOR TREATMENT OF LIFE PRESERVER COVERS

Sinvalco #1861 compound for use in the treatment of cotton drill covers of life preservers, finished by the American Pad & Textile Company, Greenfield, Ohio, furnished by Sinclair and Valentine Co., 611 West 129th Street, New York 27, New York.

Dated: April 19, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-6232: Filed, Apr. 19, 1945;
11:09 a. m.]

WAR PRODUCTION BOARD.

[C-308]

FEDERATED PUBLICATIONS, INC.

CONSENT ORDER

Federated Publications, Inc., a Michigan corporation, publisher of The State Journal, Grand Avenue and Ottawa Street, Lansing, Michigan, is charged by the War Production Board with having used, during the third quarter of 1943, print paper for the printing of The State Journal, in the amount of 23,450 pounds in excess of its quota, in violation of Limitation Order L-240. Federated Publications, Inc., admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Federated Publications, Inc., the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Federated Publications, Inc., shall, during the second and third quarters of 1945 beginning April 1, 1945, and ending October 1, 1945, reduce its use of print paper for the printing of The State Journal by using, during the second quarter of 1945, 11,725 pounds less, and during the third quarter of 1945, 11,725 pounds less, than the quota it would otherwise be entitled to use during the applicable quarters as specified by the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Federated Publications, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Federated Publications, Inc., its successors and

assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 19th day of April 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-6236: Filed, Apr. 19, 1945;
11:18 a. m.]

[C-309]

YOUNG MANUFACTURING CO., INC.

CONSENT ORDER

Young Manufacturing Company, Inc., is engaged in the manufacture of furniture at Norwood, North Carolina. During the first quarter of 1944 it used 60,000 board feet of lumber in the manufacture of furniture in excess of the quota permitted it under the provisions of Limitation Order L-260-a. Young Manufacturing Company, Inc. admits the violation to the extent of the excess usage of 60,000 board feet of lumber rather than to the extent of 105,225 board feet as charged. It denies that the violation was wilful but does not care to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Young Manufacturing Company, Inc., the Regional Compliance Manager and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Young Manufacturing Company, Inc. shall reduce its use of lumber during each of the second and third calendar quarters of 1945 by 30,000 board feet under the quota it would otherwise be entitled to use during each of these quarters under the provisions of Limitation Order L-260-a, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Young Manufacturing Company, Inc. from any restriction, prohibition or provision contained in any other order of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Young Manufacturing Company, Inc., its successors and assigns or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 19th day of April 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-6237: Filed, Apr. 19, 1945;
11:18 a. m.]

WAR SHIPPING ADMINISTRATION.

"BRINY BREEZE"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress).

Whereas on August 10, 1942, title to the vessel "Briny Breeze" (229735) (including all spart parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17—78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941, (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the **FEDERAL REGISTER**, the use rather than the title to such vessel shall be deemed to have requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the **FEDERAL REGISTER**, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: April 18, 1945.

E. S. LAND,
Administrator.

[F. R. Doc. 45-6238: Filed, Apr. 19, 1945;
11:25 a. m.]